[For information on the secular activities of the talebs (t't'olba) or scribes, see Category 212.]

000 /10/ takes wandering over the whole face of the known world. These "bouches," yawning in a mysterious hinterland, will cause him a thousand anxieties. Perhaps on the passage of the Seksawa he has been fleeced. He thinks, with devout fear, of the old inexpugnable practices: adoration of the ram (1),

1. G. Germain is led by several indications, one of which is the actual presence of Idaw i-yzimmer, to locate in our region these heretics denounced by al-Bakrî in the twelfth century, "Le culte du bélier en Afrique du Nord /Ram worship in North Africa/," Hesp., 1948, p. 113

sexual freedom (2),

2. It is known that this theme, both legally and polemically, has not yet been abandoned.

that are told of the montagnards. But the purchase of almonds, olives, and nuts, made in this illicit background, the kind of panic that seizes him before the swarming of the hordes in ambush on the heights, will enliven his passage and later his recollections, his Rih'la, whose high-flown arrangement he is already practicing, not from disdain, but from uneasiness and from covetousness.

133 It will not be fruitless to have thus located, in the perspective of orthodoxy, that is to say, the total sum of authenticity up to here -- since our only accessible historical sources are Arabic -- the Seksawa country. It opens up, as the last impasse on the left side, to the one that reaches the Sous from Marrakech. Previously the valleys of the Nffis and of the asif el-Mâl similarly
485 opened up. Immediately afterward, having scaled the threshold of
• 794 Imintanout (900 meters), our traveler will be able to rest in a
621 bourg with weekly sermons, that is, in a madinâ. He will
savor there the auxiliaries of prayer, which are the steam room
000 and the intercourse of pious people. Simultaneously he will

/32 cont./

634 Nevertheless, the agglomeration as such can assume signifi-
613 cance: this is when the excessive proportions of the taqbilt splinter its ikhs-s into fragments, which will lead a life more and more independent in each of the villages where they are settled, /33/ combined with other elements. So for the division of the Iseqqalen among several villages of the Idma country. It is true
621 that this dispersion does not go very far. Nevertheless there
794 exists a village solidarity, the most complete sign of which is that of the existence of a timezgida: place of worship, if one wishes, not only of an orthodoxy with a singular flavor, but also
794 a municipal circle. The timezgida unit is the one which, with
162 very rare anomalies, might be the best to give information on
634 the average quota of agglomerations in the different cantons. Thus in a. H'adduyws, 21 mosques give an average of 125 inhabitants grouped together. Even this result is appreciably twisted by the existence of two bourgs, Tasa and Fensu, with 300 to 400 inhabitants each. At Idma, 13 agglomerations, one a bourg of nearly 500 inhabitants, Usikis; the average is 160 inhabitants. The only bourg of the a. Mh'nd has some 600 inhabitants: but this is, for it alone, one taqbilt. The Imt'ddan and the a. Musa do not reach 100 inhabitants agglomerated together on the average. In general fashion, as one sees, these units are very small. The problems of structure that this poses will be taken up again. For the moment let us consider two impressions that can draw some vividness from a comparison with other milieus.

342 An invincible association of ideas links for us the notion of
333 architecture in stone to that of duration, and also of magnificence (1).

1. Cf. reflections of Vidal de La Blache, Principes de géographie humaine /Principles of human geography/, 1922, on architecture of earth (adobe), p. 150, and of stone, pp. 150 and 154 sq. He sees in the connection of cultivation on terraces and architecture in stone an essentially Mediterranean matter (p. 156).

[Ait Abdella]

/55 cont./

778 impression is gloomy and powerful. The black reflection of the schist, the lighting from on high temper the scene with a vibrant grisaille. The dullness of the colors contradicts a kind of internal brightness, the origin of which the painters can seek, but which suggests to the imagination the force of the place. Here we are in the very center of the Seksawa, at a focus of radiance and attraction. Barbarous merrymaking comes annually to seal the connivance of the group and the invisible powers. Collective solidarity, seasonal rite, recourse to the beyond are tied together under the sign of a heroine of precise historicity.

Several hectares of crops spread in the bed their scaly green [241] dominated by the leaves of the last olive trees. In fact, the limit of the tree is not far away: just upstream from this dark buttress which bars the current, and on which are profiled the ruins [619] of a bourg. The a. Gasa, whom a malediction expelled from the country, to the profit of the conquering Imt'ddan and Idma, for- • [794] merly lived there. Today they are the servants of the saint. Against all the vicissitudes, the latter has maintained her right of asylum, the limits of which, clearly marked downstream and toward the power of the plain, are much less so upstream and toward the closeness of the mountains. Asylum still respected, whose benefic protection spread over the geologist Brives, first French visitor to the Seksawa.

/56/ The Conciergerie /Caretaker's Lodge/ of the Mountains: the Ait Abdella

634 101 619 Is this perhaps an inglorious title for the northernmost canton of the Seksawa? Its chiefs affect white linen clothing, regularity at prayers, the Arabic language, or, if one wishes, the official investiture, finally, abhorrence of what is regarded as of the 634 nature of montagnard, but this is a great deal. The contiguity to 175 the plain costs the canton dearly. It has not recovered from the 726 sacking inflicted on it toward the beginning of the century by a 619 troop of regulars called "of Ben Sennâh'." Requested by the allied Mtuggi, disembarked at Mogador, received amicably at Bulᶜwân, it suddenly attacked the village. The effects of this terrible lesson still remain.

/197 cont./

C) Rural order and fiscal attraction: Z'init'

778 This is the holy place of the Seksawa, their asylum,
794 lh'orum. But it is to be noted that its inhabitants, ministers of the cult of Lalla Aziza, do not descend from her. They are neither chechref, "shorfa," nor ig^{w}rramen, "marabouts," but only lfoqra, "beadles," whom no prestige distinguishes from surrounding populations. With their profane origin, they are to be respected less than the descendants of Sidi Mh'nd of Ammern, or of Sidi Lh'sen of Asttif, although their saint is the most venerated one. Doubtlessly that is a trait of equilibrium or of instinctive reserve of the group with regard to the political dangers that an overly powerful lineage of "marabouts" would have caused to pursue it.

241 /198/ When one considers the zaouia from the escarpment
311 of 1,000 to 1,200 meters which commands it, one notices,
[133] downward and downstream from the village, a cultivated terrain called Tamazirt, of some ten hectares, which is reminiscent of the form of the Ile de la Cité. It is divided into sections by channels and paths, then subdivided into more or less large quadrilaterals, all differing from one another by the strength and color of the vegetation, that is, according to the cultivator's wealth in fertilizer.

423 Several quarters: Imi-n-tankt, Ddu-wgadir, Takriwin, Imi-n-talat ulili, Ddu tgumma, Tibh'irin, Aghella, Imi n-Tzennu, Iwanghasen, Dar ukhyam, Lefçça, Igd'ayen, Talmechmacht, Amkuku, Ddu-rrma, Akhferga, Tizergi, Tamsult, Tamsult n-a Uâziz, Talburt n-teg^{w}rramt, Imi-l-lqus, Ddu-wmedduz i-yghd, Fefgun, Amlal n-talluzt, Tawnaght. These 26 quarters, each having only an average area of 40 ares, are dispersed in a mass of individual parcels, of which one counts about 500. Whence an average unitary area of some 200 m^2. That is not as microscopic as one might have expected. The parcel is relatively extensive in comparison with the quarter, itself abundant and
[794] exiguous. But that is perhaps a consequence of the rather

/198 cont./
423 peculiar character of the returns effected by the owners on the
794 occasion of feasts, offerings, visits. The money is shuffled here,
452 and the investment relatively large. The budget of the group is credit. Whence purchases far away in the plain, which correlatively led to the abandonment of the high terraces and a certain decadence of the montagnard cultivations. But that is a matter of a late evolution. Let us not stop there.

423 At present, three ikhs-s, a. H'ammo, a. Lh'sen, a. Âli,
613 are distributed in these quarters according to a sampling all the
592 more complicated because they include nearly 40 foyers having rights, that is:

a. H'ammo. . . .	22 having rights	357 parcels
a. Lh'sen.	10 --	105 --
a. Âli	7 --	65 --

Inequality among the ikhs-s: the a. Lh'sen and the a. Âli each have no more than a few foyers: curse of the saint. Besides, the a. Âli have alienated many of their portions: economic expression of their spiritual discredit. The inequality between owners can go from the simple to twentyfold. Seven owners by themselves alone own nearly half of the total number of parcels. But the distribution of the ikhs-s, and even of many families of each ikhs, over the ensemble of the quarters is nonetheless the rule. Thus, on the 29 parcels that make up the quarter of Imi n-Zennu, one finds:

a. Âli	2 having rights	2 parcels
a. Lh'sen.	8 --	12 --
a. H'ammo. . . .	10 --	15 --
	20 having rights	29 parcels

312 In what concerns the irrigation, one witnesses here the phe-
423 nomenon of rupture of the gentilitial order that has already been
178 observed at Ad'erd'ur. For /199/ several years, the irrigation has
613 been done s-içd'ar or s-tghuma, "by sluices." That is to say, by ensembles of continuous parcels. By pieces of land, and not by

/199 cont./

312 423 178 613 origins. The phenomenon is related to a recent evolution. Reason invoked: the exorbitant disproportion between the patrimonies of the three ikhs-s made excessively disadvantageous for the a. H'ammo, possessors by themselves alone of more than half, a distribution where they would have only one share of water out of three. These readjustments seem bound to intervene as soon as, for some reason, the old balance weakens. Opposed to the gentilitial order, they perpetuate in short an archaic operation of accumulation of capital. The inequality in the possession of land is reinforced by a new inequality in the use of water. This sort of management, responding to specious symmetries at the same time as to a better agronomy, always rallies the concert of the notables. Mutatis mutandis, it corresponds to the progress of the enlightenment and liberalism that broke up the old communitarian traditions in our own rural history at a certain epoch. The abandonment of the former system for the new expresses here a sort of liberal revolution.

423 178 [613] At any rate the analysis of the ground of Z'init' can leave no doubt as to the order that survives through all landed-property mutations. It perpetuates an exact representation of each of the participants of the group, ikhs-s and most often even families, in each, without exception, of the quarters that make up the ground. That is the general rule. In the individual case, it has [794] been disturbed by evolutions -- expansions or declines -- which one can likewise connect with the myth of the saint, but which doubtlessly also reflect more prosaically the constant nourishment of the minor group of the lfoqra by the tithes and offerings. Thus are brought about by way of archaic, but curiously concordant routes, phenomena of concentration, whose working, however, in the middle of the twentieth century, has not yet prevailed over the old landowner law.

[613] Finally, in the economic and even demographic inequality among ikhs-s, inequality more pronounced than round about, it is not exaggerated to recognize the effect of a more advanced monetarism. A greater mass of available lands has produced phenomena of consumption, circulation, and reinvestment, the

[Ibuban]

/209 cont./

243 a. Lh'sen, 20 measures of seed from Ibuban give as much as its double from any other origin. And a quarter ṣ̂bra of this cereal grown here suffices, it seems, to satisfy, and beyond, the most voracious of mules. The explanation, which we would willingly [823] see in the quality of the soil, which a maladroit irrigation tech- [778] nique does not wash away, as it does everywhere else, the people see in a special baraka /magico-religious force; see glossary, p. 638/, with which the Ibuban would be favored. First, as compensation, for their country is unfruitful. Then because they [794] are the most religious of men: thus, at Iggayzen, each foyer pays to the saints merely as chcherd', and not including the feasts and voluntary gifts, 4 1/4 measures of barley, that is 2/3 [173] qal. Finally, the Ibuban contain very old populations, and antiquity on the soil is linked, according to these montagnards, to a fine agricultural hand. These are "old people."

423 613 The bounds are divided into grounds where each of the principal ikhs is represented. Thus, the Amassin people, of Dukkâla origin, have their lands in each of the four villages. But, through a privilege connected with their quality as conquerors, none of the other ikhs has any among them. The a. Mulid, originally from the a. Irz'z'i, are, like them, with this exception, represented everywhere. The aberrant populations, like the Inagheyn of Talburt, or the a. ba Melluk, descendants of blacks annihilated by the Dukkâla, have fields only around their habitat. Fugitive a. Irz'z'i and immigrant Dukkâla, masters of the country, have thus divided it among themselves. These conquered ones are here combined with other elements as beneficiaries of a new hierarchy. But this order is incomplete. The documentary interest of the sector is that local tradition makes one understand why. Among the ikhs-s descended from the oldest populations and the conquering branches, Dukkâla or a. Irz'z'i, there has not been equitable distribution. Between these two branches themselves, all the quarters have not been covered by the division. The disorder of history, reflected by still-living inequalities, has thus had direct effects on the landowner equilibrium.

[Bulᶜwân]

/214 cont./

312 distribution was done neither according to ikhs nor according to
178 groupings of parcels, but remained subject to the estimation of
(624) the amazzel. Neither gentilitial order nor topographic order, but, if one may say it, purely agricultural order, and subject to a troubling, or affecting, power of estimation. We again find there the incidence of political variations on the agrarian regime. Every time, the rising power judges irrational and reforms the previous practice. The amghar reacts against the community institution, and the modern administration against the amghar. But at each of these stages, a portion of the authentic organization survives. Although broken, and each time on a more modest plane.

103 The analysis of the names of the quarters provides still other indications.

First, one finds there the elements of a classification of the ground: the h'arch, "the aspre" /see p. 296/, on one hand, the h'ofra, "basin," on the other, with assignment of a part of the one and of the other to different subjects, which indeed appear as collective subjects: Ichkajjen, ait Bihi u Sâid. But the symmetry is limited to these two cases. What is more striking is that, out of 16 names, 11 express these vocations of appurtenance. The so-striking descriptive aspect of the names of quarters in the mountains is not found here, except for a fourth of the designations, which is not much.

It is difficult to conclude anything from such indications, except mixture and erosion. Nevertheless a look at the parceling of Bulᶜwân, South part, appraisable at about 20 hectares, permits
794 supposing certain regularities. The fact that the great institution
184 protective of the patrimonial immutability in the mountains, the habous /wakf/, is not found here is all the more suggestive. It is so rare in all the a. Abdella that its rare appearances in the upstream villages, such as Iminteghli or Ilutjan, do not truly enter into the mores. The mobilization of the lands thus does not clash with any juridical restraint.

[Ait Lh'sen]

/253 cont./

128 But this collection of facts and images cannot take the analysis very far. What does stand out is the variety, and also the incoherence among traits of different order and character. Let us now look at the synthesis that takes place at the cantonal echelon.

A Ritual Personality: the A. Lh'sen

221 796 The religious life of the a. Lh'sen experiences a paroxysm at the time of the feasts of summer. Huge slaughterings of goats are practiced, followed by auctions of portions of fresh meat for the benefit of the saints (2).

2. Cf. J. Berque, "Viande fraîche et droit communal /Fresh meat and communal law/," in Un glossaire notarial arabo-chleuh du Deren (XVIII^{e}) /A notarial Arabo-Shluh glossary of the Deren (eighteenth century)/, R. afr., 1950, pp. 383 sq.

It also experiences a secondary peak: the agapae of yenneyr, "January," also called lmârûf n-tgellatin, "feasts with the turnips," because this root in particular, which reaches maturity then, is consumed there. The agape is celebrated in the "mosque," ljâmâ, timezgida. Although the first of these two forms of feast is not necessarily connected to the cult of a saint, nor the second to an oratorical villager, they are made pendant, so to speak, at times, in places, and according to styles that contrast.

241 796 794 It is still in the duration of the agricultural life that the "stipulated service" is registered, the chchard' of the marabouts, to whom the canton pays an annual cens in exchange for protection, either general, as is the case for Sidi Ah'med u Ali, or specialized in certan tasks, as is the case for others. This is a mechanism of assurances, in the full sense of the term, and which is exercised in time with a thoroughly fiscal minutia. A first sending of the first fruits is done on the occasion of the musem, "patronal fair" of the saint in Mez'ud'a. Nothing is lacking of the

[Ait Lh'sen]

241 /253 cont./ Nothing is lacking of the
796 sampling of the products of the soil, not even the henna intended
for the women of the zaouia, or the "marjoram," lh'baq (3).

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3. It is not without interest that toward the middle of the nineteenth century the archives of our consulate of Mogador mention important quantities of marjoram in the movement of exportation. By whom was it ordered, and was it indeed a matter of h'baq?

utilized in certain drinks and which is /254/ cultivated in flowerpots. The cens properly speaking consists of a portion of the harvest, or rather of its monetary equivalent. It is paid at the
[221] lkhrif, a pause from the agricultural tasks and from economic activities in general, which separates the harvest from the next tillage. It is the period when the peasant community recovers its breath.

794 Besides these annual rhythms, of interest to the whole of the
796 population, and which both imply and promote unanimity, there
533 are others more limited and concerning a professional group, the t't'olba. The latter carry out each week, in certain mosques, a psalmody of the entire Koran. This makes 12 series of 5 h'izb-s or "sections" each, and which are recited either in chorus and successively or simultaneously by teams. The operation bears
[514] the name of ttefrik. The conclusion gives rise to an agape, sslukt, where the alimentary feasting is joined with orthodox religious exaltation in an atmosphere both ecstatic and municipal. Under the circumstances, the complex personage of the t't'aleb gives himself up to all the effervescence of a soul whose energy is then freed from the sanctimonious reserve to which it is confined the rest of the time. A hitherto sly force bursts forth. The psalmody is finished in phrases of a strange falsetto, very impressive to hear. These vocalizations are translated locally by the Arabic verb

[Ait Lh'sen]

/254 cont./

794 796 533 ᶜazzeb, for which correspondences are abundant in Maghrebi ethnology (1).

1. Mzabite clerks are lᶜazzâben. The verb indicates segregation, whether it be basically moral, as in the above case, or results from economic features, as in the case of the latifundium with an absentee master and forming, in relation to the village, an "écart" /place apart/ (Maghreb: ᶜazib; Egypt: ᶜezbe).

128 But one cannot enlarge here on an order of practices in which are distinguished the exercise of a universalist religion and that of a speciality of initiatory aspect. Even if it is significant to find at the outset this genre of facts at the threshold of a study of the ritual life in a montagnard group, other traits touching more directly on the life of the group as such must hold one's attention for the moment.

776 (634) The space of the canton is dominated, either in its subdivisions or in its ensemble, by such-and-such a saint. Patron inherited from ancient traditions, like Lalla Aziza, protectress of all the Seksawa, or contractual patron, like sidi Ah'med u Ali for the a. Lh'sen. These patron saints often have exclusive tastes and try to eliminate one another. The man struggles in this rivalry. So much the better for him if he succeeds in the right choice. For there, too, there is a portion of outbidding, guile, and gambling.

778 Moreover, each group founds the bulk of its religious existence upon the qualification of certain places. First of all, those where one takes an oath, and which common opinion hierarchizes according to the /255/ greater or lesser gravity of the ordeals that are celebrated there. These are mosques or anonymous mausoleums designated only by their function. Other sites are reputed benefic or malefic, protectors or avengers, according to the ambivalence of this genre of ideas, and completed quite often by a figure or by a saint's name.

[Ait Lh'sen]

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by a figure or by a saint's name. But there are also locations whose ritual importance results from the fact that they are the seat of the activity of the t't'olba. They share in the prestige of this ministry at the same time as those that are linked to a certain intensity of the communal life: "permanence" constituted for the Koranic psalmody, seasonal agapae, etc. Most of the time they are mosques. Hence the complexity of meaning of such a cadre.

The distinction of these diverse categories can in fact only be schematic. In many cases, naturally, they coincide. The agrarian function, which is the most prevalent among the saints, often interferes with the juridical and municipal function, characteristic of the montagnard mosques. The t't'aleb frequently effects the liaison between these diverse places and these diverse ideas (1).

1. We shall repeatedly come back to the Chleuh /Shluh/ t't'aleb apropos law, religion, individual depassments, commune. Cf. on his subject the excellent in. /unpublished/ monograph by Charles Dominique, "Les Tolba du Sous," CHEAM, 1938.

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In a. Lh'sen, out of 34 of these rite "supports," a number undoubtedly inferior to the reality and which indicates only the most important, but a number already considerable for a collectivity of some 400 foyers, one counts only two saints with a determinate personality, 5 indeterminate but bearing a name, and 7 whose name expresses only the function: "of the river, of the col, of the law oath," etc. Some twenty others are only "mosques." Expressive ratio: it would be even more so if one added to these ritual places the still more ample mass of those which some designation, personal or not, brings into relation with the sacred by one title or another, and which survive at the very least in the toponymy.

In Iguntar, the material sign manifesting the existence of "marabouts" at Tamd'a Ugemi (which means something like a

/267 cont./
762 as far as suicide (1).
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1. Further interferences between law, magic, agrarian life, around the agg^{w}mi, whose placing in defense is put "under the guarantee" of a saint.

000 The past, even recent, of the Seksawa yields numerous facts of this order. Their variety and, in certain respects, their incoherence cannot conceal the fact that they originate from a stage of archaic indivision among the most corroded modes of the agrarian, religious, and juridical life.

/268/ III. Patronages of Saints, Natural Periodicity and Juridical Obligation

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Another Stage of Rites: The Dues To the Saints

If on the local plane the balance sheet is so unfavorable to personal holiness, it is not the same for another order of facts: the liaisons of patronage that are established between the group and external saints. This externality in fact seems to be an essential condition: whether the chchard' (1)

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1. Ar.: chart', "stipulation." The use of this word in the sense of dues to saints is ancient. Cf. Manâqib al-H'ud'aykî, t. I, p. 151, l. 4 de fine, concerning a saint of the Haouz in the sixteenth century.

paid to a Seksawa saint, Lalla Aziza or Sidi Mh'and, for example, depends on a sort of federalism between different Seksawa cantons, or -- the most common case -- such-and-such a group, such-and-such a subgroup, even such-and-such a family, separately, freely, and with all the appearances of juridical spontaneity, takes up a

/268 cont./
subscription for the protection of a foreign personage; and this personage is not always a compatriot or a neighbor, for no one is a prophet in his country. But for the moment let us reserve this aspect, geographical in a way, in order to study in a little detail the manner in which the institution presents itself within definite cantons.

During the dangerous periods of the siba, a classic function of the holiness, or of his beneficiaries, was to play the role of patron, guarantor, or conciliator in disputes between groups. This is what an author from the Sous has named "the extinction of the fires of public disturbances," it'fâ' nîrân ath-thâ'irât bayna'n-nâs (2).

2. Manâqib al-H'ud'aykî, t. II, p. 52, l. 11.

Thus an act of 1079 Heg.: 1668 shows the marabouts descending from Sidi ᶜAyâd of T'amast (Ud Berreh'il, in the valley of the Sous) at work. The Idaw Geryun and the Iqorrân, former occupants, were in conflict. The latter had to retreat to Idaw Mçat't'og. One day, it was the octave of the Aid, they had assembled on the az'allo for the collective prayer when the I. Geryun, disguised as women, attacked them. Whence a series of /269/ inexpiable vendettas. Then the marabouts intervened. They fixed a limit by the implantation of the "crook of God," takurayt n-rbbi (cf. ar. /Árabic/ ᶜukkâz in the same sense). They matched this operation with terrible imprecations against anyone who violated the truce: God would pursue the guilty one and his descendants to complete extinction, h'atta yanqarid'û min ad-dunyâ. On a more temporal plane, the infraction would be penalized by a fine of 1,000 ounces, to be paid to the descendants of the saint.

A number of other documents retrace less colorfully analogous operations. It is very often Sidi Mh'and who is on the scene, and that is in conformity with his passe-partout personality. His descendants, along with those of the saint of Assttif, regularly stand

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/footnote 2 continued/ de l'Islam, 1881. pp. 234, 241, 336. R. Montagne, Les Berbères et le Makhzen dans le Sud du Maroc /The Berbers and the Makhzan in the South of Morocco/, 1930, p. 169.

(628) But the equilibrium between groups, although of complex-base, often lets one perceive its hagiological guarantees. That is conjectured in the story of the elimination of the a. Gasa, brought about, to the profit of the Idma, by a malediction, ddu ᶜâ, of the saint of Z'init'.

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The dues to the saints take on either a commutative or a supererogatory and facultative aspect. The passage from one of these forms to the other is seen particularly in the sense of the weakening of an originally stipulated obligation, which becomes a voluntary gift. /270/ It is in this way that, beneficiaries of an ancient chchard', the a. Sograti of the Haut Dwiran reap no more in a. Musa than facultative presents upon application. In addition, it happens that the same saint collects contractual dues on some products, and only facultative ones on others. Thus for Lalla Aziza who, titulary in Haut a. Musa of a cens on the cereals, collects only at the discretion of the donors a jumuᶜa of butter, that is, the pat churned during the first Friday of the milking season.

To this complexity of content are added other nuances, those that result from infinite variations between cantonal subdivisions concerning the service of the saints. We shall indicate some of them farther below.

In what concerns the recipients of the chchard', new diversity. It is in this way that the a. Musa honor as Seksawa saints Lalla Aziza and Sidi Mh'and. But they adjoin to them a peripheric saint, Sidi bu Âbdelli, from Messid in Dwiran, who collects a quarter of a measure of barley per ghrâra, "load," a kharruba of maize per foyer, plus a goat. On the first Sunday in April, at the zaouia of Talâint, the Regraga profit by a ddurt, "end-of-cycle feast," said to be from Sidi Bukhâri, begun in Chyâd'ma.

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776 794 The a. Sograti (Haut Dwiran) receive no more than facultative gifts. It is the same for the Nâçiriyya of Tamgrût, indeed fallen from their former preponderance.

It would be difficult and, I believe, futile to try to date the origin of these dues which, in the case of the chchard', evoke a consensual dispute between the flock and the saint. The latter is bound to protect the group according to his little speciality in exchange for what we would call in commercial terms a "subscription." It is to the "ancestors," a vague and dilatory expression, that these obligations, it is said, date back. What is striking, in any case, is the total diversity that reigns here as much in what concerns the extension of the group of officiating ministers as in the mode of relation instituted, as in the material of the cens or its proportion in relation to the harvest.

/The next six paragraphs are in small type in the original source./ Thus the Imt'ddan are par excellence the servants of Lalla Aziza. Each foyer owes her the first basketful of agricultural products at the clearing away of the threshing floor (cereals) or of the pile (fruit). These first-fruit offerings are carried ceremoniously to Z'init' on the first Thursday in March: this is called a ṣṣadaqa, but it also gives rise, with the people of Z'init', to a tinubga, that is, a syssitia, as was said in classical Antiquity. [571] The relations between these two groups are in fact complex: relations of religious co-operation regulated down to the details. If the Imt'ddan provide the meat for the banquet, the people /271/ of Z'init' provide the bread. The event has even given rise to an etiological legend.

773 776 794 782 During the course of an expedition in Haut Gedmiwa, the Seksawa one day found themselves in danger. Encircled by the enemy, they could no longer hope for help. One of them had the idea of consecrating to Lalla Aziza, in the event that he escaped, an income of two loaves of bread on the day of sacrifice. Immediately a dark cloud, accompanied by a downpour and thunder, fell between the combatants, and screened the flight of the Seksawa. It is for this reason that on the day of the sacrifice

793 /271 cont./
796 the people of Z'init' henceforth give 24 loaves of bread apiece,
794 instead of 22 as before. The anecdote seems like an excerpt
782 from Pausanias.

But the Imt'ddan do not restrict their homage to Lalla Aziza
796 alone. They furnish Sidi Abdallah u Sâid of the a. Tamment
794 1/30 of their cereals, a similar portion going to their mosques,
[431] and still another to the poor. In addition, each foyer pays a kid
[735] every two years.

They also give the descendants of Sidi ᶜAyad, still in the Sous, offerings of a discretionary amount, but owe him a feast every year and a kid every two years. The village of Tagunit, and it alone, pays a cens to the neighboring zaouia of Assttif. Lastly, a sheep is sent to the fqih of the Mez'u'd'a for "Easter," that is, for his tafaska (oblation of the Aid Ççghîr).

The differentiation of the recipients is therefore extreme, like that of the donors, even within a small canton. The proportionality observed concerning these parts of the harvest itself is to be noted. Here 1/30.

In the a. Lh'sen, it is the rhythm of one measure per 80 tin s-tmanin that is applied for the dues in barley and maize; one for 100 counted for the nuts, etc. With regard to the "Friday" of butter, the rite is generally observed.

794 It is in the a. Lh'sen that examples will be taken up again in order to study another aspect, that of the remittance to the beneficiaries. In general, the latter divide among themselves by geographic sector the benefices of the chchard' called tisura,
794 equivalent copied from the ar. /Arabic/ futûh'ât. They inherit
437 them, distribute them, mortgage their revenues, sell them, or assign them by drawing lots, as if they were dealing with a mobilizable right: and, in fact, this is what it is. So true is it that the institution of the Atlas juxtaposes in clever shales, if I may venture to say it, the most diverse orders of ideas. In the case at hand, the "mystical" aspect and profane aspect adhere closely. The alienability of a transferable share is one with the ritual entity. Commercialization and the sacred are juxtaposed

/271 cont./

794
437 in series, whose complexity doubtlessly offers an interesting clue, but about which we are still unable to say whether it is authentic or results from a deformation of the system.

/The next two paragraphs are in small type in the original source./ During the agricultural periods suitable for collection the jemâa takes in the quota of each one and stores it in a traditional location: the mosque at Awines, an ad hoc chamber at Wanz'id', for example. Upon the arrival /272/ of the titulary (let us take in this case at hand the representative of Sidi Abdallah u Sâid of the a. Tamment), the products are sold. Most often they are sold at auctions, according to the mode giving rise to free contests and charitable works, which is commonly observed in this kind of thing. But sometimes, too, at Tagenza among others, this grain is bought at the market price by destitute citizens who lack the beasts of burden to provision themselves in the plain.

Lastly, it happens that the gift may be "portable": this is the case for the large collective dues for sidi Ah'med u Âli. Once gathered together in the mosque of Awines, they are sold at auction, and it is the cash that will be paid to the saint by a delegation from the taqbilt. In the course of recent years, this sale has produced a sum of 25 to 30,000 fr. for the cereals alone, which, if one applied the rule of 1/80, would lead to an evaluation of a harvest of some 2,500,000 fr. for the Bas /Lower/ a. Lh'sen: an interesting economic indication, because it is a matter of about a hundred foyers.

Fiscal exactitude, distributive sharpness, rigorous calculation in the assessment of the charge and the collection of the product, but also reveling at the time of payment, joyous release of the auctions, ostentatious generosity in its place: all these aspects join to make of this system of dues, punctuating the agricultural year, a rich source of religious feelings and juridical ideas.

/272 cont./

Directions, Areas, and Cycles

776 794 619 It is not that the narrowly particularized life of the canton is not linked with the whole space of the Sous, of the Drâ, of the Anti-Atlas. Mystical sutures link, without one's always being able to explain how, or why, the domain of the Seksawa with the vast world of the South. Isolationists through their history, they (181) have remained, for the hagiology, in contact with the outside. Let us note, this outside is solely the South. The matter is so marked that at the heart of a particular cycle, that of Sidi Sâid u Abdennâim, their fervor has abandoned the father, man of the North and of the West, in order to be attached to the son, who has his sanctuary in the a. Tamment on a tributary of the right bank of the Sous.

776 794 These devotions are not unilateral. A saint of the Seksawa, that of Assttif, has his descendants benefit from definite dues, or, more broadly, from discretionary offerings in the surrounding tribes. Especially the ones of what one can call the circum-Tichka ensemble.

794 484 /The next three paragraphs are in small type in the original source./ This marabout of course does not enjoy a cens in his own taqbilt of the Idma: he is only an importer of currency, we might say. He collects a cens from the a. Wagunsan, the Idaw Kais, the Idaw Mçat't'og, /273/ part of the Imdlawen, of the Tigguga, of the a. H'adduyws, of the a. Gasa, of the a. Tkssit, of the Imlwan, of the Iwensekten, of the Amismatert, of the a. Gâyer, of the a. Lh'sen, of the Sekrat and of Iguntar. Let us follow him on one of his annual trips. At the Mîlâd he goes to the zaouia of the Derqâwa of Araz'z'en in Arghen — the fatherland of Ibn Toumert — passing by the sanctuary of sidi Abdallah u Sâid. In January he travels through the a. Semmeg, makes a pilgrimage to the tomb of Sidi Bubker u Mh'and at Tirk (Amzel). In March he circulates on the S. reverse of the Tichka. Then there he is in Haut /Upper/ Gedmiwa, Aghbar, Ogdemt. The perimeter of 527 attraction is vast: strange thing, there is no mârûf at the zaouia. The latter has remained outside of the movement which, around

527 /273 cont./
1900, impelled the great amghars to create mûsems, "periodical patronal fairs."

What relation there was between this ritual organization and the tyrannical phenomenon on the one hand, the spiritual crisis from which resulted the tardy élan of the "Blue Men" that conquered our Mangin on the other hand: for the moment we know nothing about it, but it is to be studied. Still, the fact remains that Lh'ŝjj Hflđ' created the musem of Ammem, Umulid that of sidi Lh'sen u Tiqqi, the great Mtuggi that of Tawlukult, which he wisely inserted in the seasonal cycle of the western Dir. But the zaouia of Assttif remained outside these innovations. This reserve is part of its originalities, to which we shall return. Let us remember for the moment only this example of fiscal peregrination, of geographical activity of the marabout.

794 484

The house of Assttif is the only one to enjoy a clientele from beyond the mountains. The hagiological fame of Lalla Aziza extends far beyond the Seksawa, one will see: but the service of the saint has remained at a stage, if I may venture to say it, purely national, which confirms an impression already recorded.

776 794

In sum, in all this the Seksawa rather cut a figure of clients, and of clients from the South. The matter is worth noting, for farther down, in the Dir, other axes intervene. It is in this way that the Mez'ud'a serve a company of saints drawn up from Chichaoua to Marrakech /Marrakesh/ by way of Tameçloh't, and that certain Intamlin (Mtugga) honor sidi Sâid u Âbdennâim (1);

> 1. Dawh'at an-nâchir, tr., p. 176. His son, ᶜAbd Allah b. Saᶜfd, who repelled the advances of the Sâadian, lived in the Deren at the very period of the document, pp. 155, 178.

and it is moreover among them that we have discovered a text which will be utilized below, and relative to the great ancestor whose zaouia is still an important religious center in a. Daud

/273 cont./

796 (H'âh'a). Imintanout, which constitutes, at the outlet of the col,
794 the turntable for all this hagiology, knows two directions: that of the South with the Nâçirî, and that of the East with the saint of Tameçloh't.

Second aspect: that of the more or less great density of the bonds. Of all the Mtugga, only the Intamlin, and nothing but a [181] part /274/ among them, serve a foreign saint. The haughty independence of the tribe thus manifests itself again in that (1).

[175]

1. Has it been thus at every epoch? The western part of the tribe seems, in the sixteenth century, to have participated actively in the jihâd. Cénival identifies at Tamalukt the Culeihat el-Muridin of Léon, Sour in., Port., t. I, p. 765, n. 1. Besides, one of the near successors of al-Janûnî, ᶜAbd al-Karîm b. ᶜUmar al-Fallâh', is called at-Tikkî at the same time as al-H'âh'î, Mumtiᶜ al-asmâᶜ, 1305, p. 45, l. 2 de fine. The ritual personality of a group therefore varies not only with its morphology, but also with its history. But we are only rarely equipped to follow these relations with sufficient precision.

Inversely, among the Seksawa, the people of Sekrat make use of all the patronages possible, local and outside, and set the price on it. They have vowed no less than "twelve Fridays of butter" to [634] various saints. In a general fashion the principal concern of the [619] Seksawa bears on their cantonal saints, and evidently on the national saint in particular, whose cult reacts on all the rest of their ritual life.

792 But if there is tribal stiffness or particularism, there is also [794] participation in vast hagiological areas which imperious silhou- [184] ettes dominate. These are, it seems, two strongly contrasting

794 /274 cont./

Third aspect, linked to the preceding: that of the combination of all these affinities on the local echelon. Although in principle it is a matter of negotiations purely contractual, spontaneous, and which respond, in a number of cases, to the chance of the passage of a wandering saint, or of a favor received, the homogeneity of the milieu brings about certain regularities: in all the mountain of Imintanout, it is the house of Tamgrut and that of the a. Tamment (Sidi Abdallah u Sâid) which drain off the maximum of offerings. But all /275/ this in dispersed order. Sometimes it is the whole canton, sometimes only the village, sometimes only a family of the village that dedicate an offering to such-and-such a saint.

794 184 /The next four paragraphs are in small type in the original source./ It is in this way that in Idma the aristocratic gens of the Iseqqalen pay annually to Sidi Abdallah u Sâid one sheep per flock and one measure out of 40 of the harvest for each of its subdivisions established in a village at Tasselli, Usikis, Tannsmekht, Talmud'ât. In a. Abdella, only two ikhs-s, the one of Bûl^{c}wân, the other of Agawz, furnish the mârûf of Sidi Abderrahman u Sâid, which takes place in September. [613]

Other examples. In a. Musa, two groups, those "from above" and those "from below," are in opposition to each other. The former owe Lalla Aziza a measure of barley and half a one of maize per foyer, plus a goat. The latter apply another system: half of the first basketful, taryalt, of barley taken from the threshing floor, the other half going to Sidi Mh'and, plus a kharruba of maize per foyer. But even within these groups, certain villages have particular devotions. That of Igernsuq, for example, sometimes dissociates itself from the general regime. It has been seen that this dissociation may, in the matter of feasts, go down to the ikhs. [613]

In a. Abdella, Tuz'z'umt annually pays Tamgrût a measure of olives, one of barley, one of almonds, and a sheep per foyer. Ilutjan, immediately downstream, pays to Sidi Abdallah u Sâid some barley, maize, oil, and the butter of two Fridays. Bûl^{c}wân does not pay chchard' to the outside.

/275 cont./

794 184 The a. Lh'sen, so coherent for all that touches on the agrarian order or on the cantonal devotions, assert on this subject a characteristic diversity: Wanz'id' pays to the Nâçirî a measure of barley, 100 nuts, a Friday of butter per foyer. But its neighbor, Iwulla, serves Sidi Abdallah u Sâid, in addition to the Nâçirî. One would find the same diversity among the Idma villages, a canton nevertheless very uniform.

A comparison with the neighboring Mez'ud'a would show this diversity, enriched moreover by recourse to a more extensive scale of saints, being ordered in a harmonious system, with great movements of the ensemble. This sort of comparison is not our objective, and we shall not dwell upon it. Nevertheless, on this 619 178 plane as well as on many others, the contrast between the balanced structure of the Mez'ud'a and that, partitioned and divergent, of the Seksawa is striking. Or rather, there ceases to be contrast there if one eliminates this vague word "tribe," which labels for us, in both cases, realities how different! It is neces- (634) sary in fact to compare the Mez'ud'a, not to the Seksawa in their totality, but to the Idma or to the a. Lh'sen: the Mez'ud'a are a taqbilt that has known how or was able to keep its basic structures, all while distending itself to a population of more than 2,000 foyers. While in Seksawa, from the bottom to the top of the valley, vicissitudes have broken up an /276/ equivalent population into eight or nine organisms. It is not without interest that the study of religious forms thereupon meets, in its conclusions, those of history.

The transformations that have modified the structure of the groups, in reducing or amplifying the geographical ensembles, have naturally acted on the local economy of the sacred, of the 794 mystical patronages of their fiscal counterpart. Correlatively, 184 the variety of the relations between the saint and his partners has become very great. On the one hand, large zones of influence. On the other, personal devotions and initiations. Here affiliations proceeding from a free choice. There collective or hereditary clienteles, the origin of which is no longer perceived by anyone.

/276 cont./

794 184 But these diverse characteristics originate at the stage of rustic exchanges between villagers and saints of grounds: and it is at this stage that they may best be analyzed.

Seasonal Rites, Collective Pacts, Individual Contracts

796 Habitat of the sacred: personal or simply communal sanctuaries. Rhythm or phases of the sacred: these periodic renewals marked by agapae, pomp, and sacrifices. Finally, accountancy of the divine: here is a very important third element, perhaps the most striking, and which impresses on the institution a cachet of specific ratiocination and avarice. And although it plunges into collective apprehension and depends narrowly on the recurrence of natural phenomena, it manifests itself under the aspects of individualism and conscience. There is something very remarkable there: the liturgical periodicity, itself linked to the agricultural periodicity, terminates in a contract. [241] [221]

794 212 875 The old jurists from the Sous, who make themselves the echo of quarrels among hamlets for the recompense of the fqih or the repairs on the communal mosque, raised the question of the obligation of the Friday prayer in the case where several hamlets or "bicoques" /shanties/ (in the etymological sense) have together only one mosque, which is not close to any of them. The liaison of this institution with the taqbilt, which is distributed in a plurality of habitat, furnishes an interesting historical suggestion. [634] Another characteristic that one might draw from these jurists is the liaison of the recompense of the fqih to the turns for water, that is, to sum up, to the agnatic order (1). [312] [423]

[465]

1. Ajwiba said to be from "Bennâçer," that is, from the sheik Ibn Nâçir of Tamgrût, ms. zaouia of the Mez'ud'a, p. 54, l. 7 sq. The salary of the fqih is fixed on ayyâm dawlat ᶜuyûni-him. The ar. /Arabic/ dawla, "turn," corresponds to the chl. /Shluh/ tawala. But is there derivation?

/276 cont./

794 875 212 Sometimes, on the contrary, he collects the right to a preference share from the harvest: 1/40 as in a. Lh'sen, 1/30 as in Imt'ddan, etc. /277/ Just as the dues to the saints establish, not the rudiments, but a meticulous system of fiscality, the recompense of the t't'olba, like the collection and the management of the dues, properly establishes in the group an outline of administration. [231] That fully emerges from regular institutions, such as the periodic slaughtering of fresh meat, luzi^{c}t, itself in close relations, though not constant, with the sacrifice to the saints, [675] tighersi. There, as we have shown elsewhere (1),

1. J. Berque, "Un glossaire arabo-chlèuh du Deren (XVIII^{e} siècle)," R. afr., 1950, pp. 383 sq., where these ceremonies are described in full. Bibl. of luzi^{c}t, p. 383, n. 25.

the contractual aspect, appearing in notarial technique, predominates over all the others.

794 675 [585] It is the same for the "stipulations" to the saints, chchard'. One will note the identity of this term with that designating the authorized marriage settlement to the bride over and above the amerwas. Thus there we are in full agreement. An act recorded 175 at the sanctuary of sidi Âbderrah'man b. Messâud, in the Mtugga, 794 illustrates the way in which the great saint of the a. Daud, sidi 776 Sâid u Âbdennâim, founder of a "maraboutic principality" in the 675 Sous, used it to the end of his days. He summoned the H'âh'a and the Mtugga to his bedside. After a pious homily, he re- [796] quested of them the annual celebration of a mârûf at the beginning of the month of "Berbère /Berber/ March," mars ^{c}ajâmî (sic). They agreed in a great burst of contrition. And of each tribe to take it upon itself spontaneously to pay to the descendants of the saint -- that one barley, that one butter or oil. The whole was styled khidma, "service," and churût', "stipulations." That took place during the tenth century of the Hegira, that is, our sixteenth century. And although precisely this saint has no client among our Seksawa, the text applies to them equally. It indicates

/277 cont./
the usual procedure of these obligations of group to patron. Such testimony is rare: the beneficiaries keep them secret (2)

2. We have been able, however, to procure for ourselves at the zaouia of the Mez'ud'a one of these acts, which we reproduce as Figure 10, page 390.

Perhaps even many of these contracts are pure etiology of a custom in being and for which one should have tried to place the origin and to find the explanation.

Let us pass now to a second element of institution: these mâruf-s of which there has already been mention many times. This word, used here rather than that of musem, has been attested since an ancient epoch and paradoxically combines the Koranic notion of "good" and that of "customary usage." Veritable play on words, which seems intended, since a number of customary codifications have feigned to be based on it and sometimes even yet it is invoked by /278/ /Fig. 10 appears here/ /279/ innovating jurists. The mârûf is the seasonal rite incumbent on a group with regard to a saint. It usually includes a blood sacrifice, tighersi, but differs from other gatherings, such as the tinubga or tiwilt, which have no religious import. The chchard' is found in the old acts in the form of testamentary prescriptions, accompanied by invocations and conditional curses: last words of the dying saint to his servants. Sometimes accompanied by homilies, it constitutes, for multisecular lapses, the charter regulating the relations of a group with the local representative of the sacred.

Several saints possess an estate, ras l-mâl, maintained from year to year by the sale of pieces of meat. This sale is done at auctions. It releases the emulation, itself ostentation, which this kind of concourse calls up. But the money owed is almost never demandable until the following year. An embryo of credit thus forces its way through. It includes inscription on written rolls and the montagnard notariate is actively occupied with it. Elsewhere we have described the demarcations between the profane

[TEXT CONTINUED ON PAGE 391]

/From p. 278 of the original source./

Fig. 10

Act by which the jemâa of the Iwulla took it upon themselves to pay a tithe to Sidi Ah'mad u ᶜAli, 1258 Heg. = 1840. In exchange, the saint would assure the material and spiritual prosperity of the group (in fine). Collected at the zâwiya of the Mez'ud'a.

/279 cont./

794 and the sacred that such a system reveals. The conjugation of the old propitiatory or purificatory practices, the archaic climate of squandering and feasting are united here in exact accountable preoccupations. Veritable grocery store of the sacred.

Critique of These First Data

794 Thus one characteristic of this stage of religious and juridical
796 institutions among the Seksawa becomes clear. The patronage of
182 the saints puts into play a solidarity among the group life, the rhythms of nature, and the ritual calendar. The passage from one to the other of these three ideas is constant. Even passage from the statute governing the relations of the group with its protector to the deliberate initiative of conventions with other saints. The
794 auctions for the sale of sacrificial meat, the emulation which re-
182 sults, the term obligation to which the purchaser agrees partake of the most communitarian rite and of the most individual contract all at once. In these forms of synthesis, in these moments of village exuberance, linked to the life of the seasons and to the manifestations of the sacred, are freed the forces which go at the same time to maintain and to validate the juridical obligation.
181 But the latter, at this very stage of religious, agrarian, and communal correspondences, already presents itself clothed in specific characteristics which are its own in the culture of the Chleuhs /Shluh/: acquisitive sharpness, contractual individualism, communal publicity. And these characteristics have already reacted on what one can presume to be an /280/ "old" foundation. As we have noted, this foundation no longer appears except in unequal and incoherent fashion, by fragments and survivals. Syntheses exert themselves on the local plane. They are constructive and distorting. In them resides the originality of the milieu, while the more archaic facts that one distinguishes on the traverse are rather amenable to a North African generality.

182 At this stage imperious necessities of equilibrium and of local ordering, a systematization smitten with dosage and

/282 cont./

/footnote 3 continued/ arabes de Takrouna /Arabic texts of Takrouna/, 1925, p. 209, n. 6, gives a bibliography.

Does that mean that more ancient elements, announcers of a ritual place, were effaced before Lalla Aziza? The fact remains that a similar defense is lacking toward the upstream part. Evidently, the saint is at home in the back country. There one finds only her maqâm-s or "mansions," which arouse a completely different order of ideas. First, toward the S.-E., in the former domain of the a. Gasa, an oak at the Tizi Az'allo, between Tagonit and Assttif; then a carob tree, igg, at the place called Tiktit, "the frontier," in the valley of the asif n-Tghrin; a walnut tree in the ravine of Tannçmt; and another piece of masonry at Rekto. All that on this side of the crest of the Afuzar. Beyond, at Imi y-ighzer n-Aissa, in the present habitat of the a. Gasa, and at Anzelfi among the a. Gâir, still other mansions. What is striking is that all these hagiological points, if one posts them on a map, go beyond the present perimeter of the Seksawa.

In the valley itself, one notes, as is frequent, between the agglomeration of Z'init' and Tamezgurt, a raised stone, called "limit of Lalla Aziza." It used to mark the border of the asylum in the upstream direction, in a period when it was not reduced to the constructed site. According to current folklore, the people see in it the petrification of a fiancée and her mount, just as they see, in another rock, the metamorphosis of a wicked chief, amghar yubaddaln rbbi.

More significant are the archeological elements revealable toward the S.-W., that is, in Idma country. One knows that the Idma, more recent immigrants, are the conquerors of the a. Gasa, and that it is thanks to the saint that they defeated them one against two. They /283/ took from them, among others, the village of Anchkrir. There, an ancient endowment assigns about forty parcels to Lalla Aziza, the revenue from which she collects every year in March. Anchkrir is dominated by a high table of

/284 cont./

346 794 I pass the constructions that are inhabited by the present foqra, administrators, rather than holders of the benefic power, above all devolutionaries of the "benefice" tisura. Made of stone arranged in a straight line, on two and sometimes three stories, in joined assemblages, according to the powerful techniques of the mountain, they present nothing remarkable, except 794 for their paradoxically urban aspect. However, as this small 173 group materializes and exploits the tradition of the sanctuary, it will not be useless to investigate the oral chronicle concerning it.

It is composed of three families: the a. H'ammo, the a. Ali, and the a. Lh'sen, besides the habitual fringe of allogenes [784] and refugees. The reduction of the effective force of the latter two families in relation to the first is attributed to a curse that the saint cast upon them as penalty for an ambush in which they traitorously massacred the a. Musa. They had invited them to a tiwilt, "banquet-palaver." Having led them into a room upstairs, below which they had piled stalks of maize, they smoked them out. The unfortunate ones who jumped out the window were slain. Only one escaped. Even he was killed farther away. [211] Thirty-three slabs, each representing one of these human lives, have been, it seems, imbedded since then in the ceiling of the maqçura of a mosque at T'abya. Magic and official cult are joined here with cantonal patriotism.

[784] /285/ What the saint is punishing in the case at hand is not only the treachery of the two families, but the crime, whose victims were pure descendants of the royal line. A coincidence 776 to think about. Quite naturally this leads one to investigate as to [778] whether there are not other characteristics that can be revealed by an examination of the places and which would put one on the same track. First of all, this sidi bu Lqnadel, "the saint with the [619] candle ends," corresponding in Berbère /Berber/ to a bab n-tfawin, [634] which would also signify "the man with the proofs," would be none other than H'addo, the eponym of the a. H'adduyws of the highest valley, founder of the medieval dynasty. One bestows on [796] him each year no more than a little merrymaking: barely a few [443] cooked chickens, which the children eat. But three generations [692]

/285 cont./
776 ago it was he who presided over the Thursday market, and it was
[443] in his edifice that the moqaddem of Lalla Aziza remained to set-
[692] tle the litigations. If one compares this H'addo the Yah'ya buried in the "house of Lalla Aziza" with the Sliman buried at Anchkrir not far from an Azzô, the identification with at least three of the personages mentioned by Ibn Khaldûn will be confirmed. A certain liaison of the historic cycle and the ritual cycle is thus suggested by the only archeological indications. How this liaison could have been established, and, in that case, what distortions the rite has printed on history, this is what has been examined elsewhere. But let us salute again here the synthesis and its profound relations with the functioning of a group life.

The Fisc of the Holiness

000 The same impression will emerge from an institutional analysis of the system whose topographic situation we have just studied.

What is striking at first is the relative importance of the perimeter of appeal. Here again, let us start with the most concrete elements, that is, the geography.

• 794 Expressed as obligation for offerings at the time of the two
776 annual feasts, or "stipulated subscription" village by village all
423 during the year, the attraction of Lalla Aziza is also expressed in
[796] agrarian attachments. Let us pass by her appanage of Anchkrir, identifiable with an old center of Seksawa history. Much farther downstream, in the lower valley, at Ih'ançalen, two "parcels" called, with a play on words, id'aren n-Lalla Aziza, "the feet of L. A.," frame the river on both sides: a sort of portico which the current passes and which perhaps indicates an old rite of passage. We are still, it is true, in Seksawa, among these a. Abdella whose name refers to the not very orthodox agellid of the fourteenth century. But in the plain itself, at Gemassa of the Fruga, the saint has available two /286/ shares of water on the Lalla
173 Çfiyya wadi. According to the oral traditions, in ancient times
776 the people of Gemassa and the a. Abdella contended for the water of the river by force. The conflict ceased only with the

/286 cont./

173 arbitration of the saint. Thus she obtained two shares of irriga-
776 tion, each conceded by one of the parties. Let us note that to-
[794] day the a. Abdella are separated from Gemassa by several foreign
[423] tribes and about twenty kilometers as the crow flies.

Likewise in the plain, in Dwiran, at the place called Jemâa Tagharro, the saint initially enjoyed a field, Zagho, of which, moreover, today there remains to her only a right for water. Here
[648] again, this benefice is related to a political manifestation: the Sultan was ascending in an expedition in order to lay siege to the Seksawa. Their protectress marched to her encounter as far as the place called Tazuggwart n-Lalla Aziza and succeeded in turning him away from his schemes for the siege. The chronicles bring to mind several attempts of this nature, and we even have contemporary evidence of one of these intercessions. Here one is moving on solid ground, and there again local signs confirm legend and history.

[792] In another direction, toward the E., a chronicle points out to
[788] us, about 1708, the marabout of Tasaft, hero of a montagnard resistance against the makhzan power, coming on a pilgrimage to Z'init' (1).

1. Justinard, La Rihla du marabout de Tasaft /The Rihla of the marabout of Tasaft/, 1940, p. 124. On Z'init', pp. 110 sq. The author does not speak of Lalla Aziza, but of the "marabouts of the Seksawa."

He comes from afar and must cross high passes. On the way, he sees on a slab of polished stone imprints of horseshoes: legendary traces of the Almohades. The uneasy nostalgia of the storyteller for this brilliant and wretched period of greatness doubtlessly stirs him deeply when he comes to Z'init'. In this asylum, a banished caid had been able for a long time to flee from the men of the central power, who watched him from ambush in a. Musa. This sort of continuity that one feels established by the narrator in time and space between Ibn Toumert and Lalla Aziza is significant.

/286 cont./

173 776 Nothing more than an association of ideas, but haunting. It sustains this prose of images which break its aridity. Doubtlessly, priding himself on his erudition, the author confuses everything a little. He mixes the legendary or folkloric traits having reference to Ibn Toumert with those that have reference to another "Imâm el-Mehdi," the one from Massa, who is supposed to appear at the end of the times. Imprint left by a great epoch, popular millenarianism of the far Sous, more modest but intense hagiology of the local saint are perhaps confounded in a common horror for the central administration, but this syncretism is not /287/ without interest. Practically, until the Protectorate, the religious force of Z'init' blocked downstream all the offensives of the plain. And still farther toward the N., a whole hagiological moraine denounces a former expansion proceeding from these high places of the Atlas.

In the epochs of order, such efficiency must have compromised with the power. Here are three dahirs (1760, 1812, 1863) which granted (or rather consecrated) privileges to the "descendants of Lalla Aziza," a flattering qualification of those who are only the "poor" or "ministers," or only the "beadles." They accord them a share of water on the al-Qîhra wadi at Taghzut. "That no one, Arab, Berbère /Berber/, or other, either approach them or circumscribe their space (1),

[794] [423]

1. Note this term of sâh'a, "clearance, vital space." That is what the chronicle uses to designate the perimeter of plain cut off from the Seksawa by the Mérinides in the fourteenth century.

yat'ûfa bisâh'ati-him ..., in whatever may come to them." The granting of the right of asylum, and of a plenary fiscal exemption: "whoever may seek there protection or shelter will be inviolable in his person and his goods."

778 776 794 Indeed, the influence of the holy place does not diminish at all. According to a prediction of sidi Moh'ammed b. Abdallah of Assttif, a marabout himself and a visionary, the powers of Lalla

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/287 cont./ Aziza will still go on increasing. The chief of the zaouia of Bu^{c}anfir in Ud Besseb$\hat{a}^{c}$ used to come on a pilgrimage to Z'init' so that the flood waters would reach his lands. Sidi Mh'and, of the great médersa /Moslem advanced school/ of the Mez'ud'a, did not disdain to make his devotions there. At the Mîlâd, in [685] 1949, a mule theft was committed during the ceremony in a sacrilegious plot to get rid of an enemy. Several days later, the crime caused a terrified repentance on the part of the guilty man, who spontaneously had the beast brought back. At the time of the theft, moreover, the people of Z'init' had asserted that Lalla Aziza herself would not fail to use her "lights," tifawin. The event confirmed their pious trust. That so many powers coincide [554] with the mediocrity and intrigue of the ministers, among whom [771] the moqaddem was only a politician at the service of the Mtugga ambitions during the last generation, is a characteristic that merits attention and upon which it is proper to reflect when one tries to evaluate the part of the sacred and of its men in the Chleuh /Shluh/ society. And the problem will stop being knotted when one knows that, rejecting anything exclusive, these native ministers do not rest content with their saint, and make offerings themselves, upon the harvest of the maize, to two maraboutic families, the a. Sograti of the Haut Dwiran and the a. Bennâçer of Tawlukult!

/288/ However that may be, Lalla Aziza exerts over the whole Seksawa system, and accessorily in the Haut Dwiran (a. Wageryan) as well as on the side of the Gedmiwa (through the a. Gasa), a veritable fiscal attraction, expressed by the regular collection of cens: agricultural first fruits and sacrificial meats. As dry as an enumeration of it might be, it will nevertheless contribute to interesting geographical localizations. And, moreover, the very dryness of this roll, for it is one, since it fixes stipulated and almost transactional obligations (chchard'), will give a verity of atmosphere.

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Attempt at evaluation of the regular annual revenues of Lalla Aziza
(in Seksawa)

Name of taqbilt	Name of donor group or groups	Barley (in measures)	Maize (in measures)	Butter (in kg.)	Walnuts (in thousands)	Sheep or goats	Bovines
a. Musa.	Igernssuq	29					
	T'abya	62				1	1
	Tabratjut	82					
a. Lh'sen.	Ensemble					1	
a. Skrat.	Dyur Sekrat ...	44	44	22			1
	Tikid'ut	23	23	11,5			
Iguntar.					0,650		
Idma.	Tasselli	7					1
	Talmud'at	3					
	Tannsmekht ...	—					
	Wanchkrir	80					
Imt'ddan.	Tinwalin	27	27		(6 measures of almonds in case of good harvests)	27	
	Tamezgurt	16	16			16	
	Tagunit	45	45			45	2
	Tamt'ddit	16	16			16	
a. H'adduyws	a. Wasif	20		10			fac.
	Fensu	10					
	Tasa	9					
	a. Bah'ammo ..	3,5		14.5			
	Igersafen	3,5					
I. Geryun.	Tinerghat	4			3,2		fac.
	Imi Wasif	3			2,4		
	Asif Lah'lo	3,5			3		
	Rekt Wasif	2,5			2		
	Ighelmellen ...	4,5			3,7		
	Ikis	8			6,8		
a. Âbdella.							1

N.B. To which are added regular dues from the a. Gasa, the Idaw i-yzimmer (Idaw Mh'mud), the a. Wageryan (Dwiran), and the Haut Gedmiwa.

Totals ...		505.5	71	58	21.75	106	from 6 to 8
	Equivalence ...	67.4 qx	28,5 qx				

/qx = quintals/

794 /289/ Such are the regular revenues, veritable fisc of the holiness, which the foqra collect on a side of the Atlas populated by some 45,000 souls. But it is necessary to increase these figures tenfold if one adds the fortuitous: offerings brought sometimes from great distances on the occasion of feasts or after vows, and peregrinating quests made individually. These quests make the foqra traverse the two versants of the mountain and lead them into all the groups of the circum-Tichka ensemble.

794 221 [782] The liaison of these collections to the agricultural calendar clothes them in a very vivid naturist color. In these high valleys it is sometimes the cessation of the snowfall and of the constant water in the bed of the torrents that leads to the opening of the ditches and then gives rise to offerings or propitiatory sacrifices; sometimes the successive harvests or gatherings (barley, maize, 794 [592] almonds, walnuts) that set into motion the opening rite. In all cases, a meticulous collective solidarity spreads the obligation and the benediction that follows over the ensemble of the foyers, I mean the conjugal foyers in the narrow sense, takatin. And in- 794 613 deed it is to be observed that the order of distribution is not gentilitial. There are certainly particular devotions by such-and-such an ikhs to such-and-such a saint. But the grouping of villages among them, for the service of the offering, occasionally also [592] breaks away from the solidarity of habitat or of taqbilt. The most habitual division of the collective financings of profane type is that which is most generally applied in the matter: it is calculated on the effective force of the foyers. And this mode has prevailed over the gentilitial rhythm, so much more suitable for the agrarian order and the structure of the groups. This exclusion of the ikhs as the base of religious fiscality is to be kept in mind.

794 [137] Among the commodities subject to the tithe, let us note that if the maize, a relatively recent plant (sixteenth century), figures in it, and has probably supplanted millet there, the mention of the olive, wealth of the lower valley, but which ascends to Z'init', is rare. The reasons for this anomaly are forgotten. Perhaps it expresses only a montagnard style, the bulk of the nationals of Lalla Aziza living above the limit of the olive tree.

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794 The fund coming from all these contributions is subjected among foqra to egalitarian division. They put it together with the product of the offerings, oboles, etc., collected all during the year in the box, rrbi^{c}t, placed in the zaouia, under the name of tisura, plural of tasarut, literally: "keys," analogous to the Arabic futûh'ât. This benefice is defined by those interested as a lh'obûs, "pious foundation." The analogy is only a rough one. 794 Violent competitions between rightful claimants, on one hand, 578 between moqaddem and other beneficiaries, on the other /290/ hand, between men and women also often arise and necessitate [691] the intervention of justice. One of these conflicts broke out in [692] 1949 and had to be settled by the assembly of all the Seksawa, constituted as a supreme court, as parties interested in the highest degree by the questions touching upon their saint. An initial 794 deduction of one tenth was set apart for widows and daughters in a state of need, the rest forming the object of an egalitarian division among all the foyers, with the reserve of a preference share for the moqaddem.

The Legend

793 The largest part of the revenues come at the great moments [794] of collective tension of the two annual feasts. But before even [796] describing these two feasts, and first from the outside, before any [128] interpretation, as it is time to become acquainted with the legend, I shall give below the account of it that was collected about forty years ago, with an exactitude not suspected of sociological ambition, by the French naturalist Brives, the memory of whom still survives in the valley because he was "the friend" of Lalla Aziza (1).

1. Brives, Voyages au Maroc /Travels in Morocco/, 1909, pp. 256 sq.

We are on the terrace of a house which faces, from the other side of a ravine, that of the saint. All the terraces blaze out

/298 cont./
175 of the inductions to which archeology, on the one hand, the
776 critique of the oral tradition and the interpretation of the rite, on the other hand, have led.

Nevertheless there is no cause to draw from it more than it brings us: the atmosphere of the Deren at the time, with these quite Maghrebi contrasts between an archaic foundation and brilliant spiritual flares; the effort of the plain: in this case, a conquering diplomat, a regular, but prudent army, a cultured cadi who has come from afar, a curious thing of heroisms and miracles. And here, barring their way at the threshold of the valley, is a personification of the old race, full of the prestige of the sacred, and embodying her people with a force whose tremor nearly six centuries have not exhausted.

776 /299/ II. Unfortunate Rivals of the Holiness

[794] [798] The attachment, more or less late, of the cult of Lalla Aziza with the master-place, Z'init', the ritual and sentimental hegemony that she exerts in the entire valley and beyond have suppressed or absorbed other legendary figures. Only three stand out from a background of communal hagiology to assume, like the saint, but with infinitely less individual color and implications in the life of the group, some personal or social traits that elsewhere could have merited them a different fortune. These demi-failures of the spiritual no less arise originally from the pullulating troup of village saints, anonymous beggars of chickens or kids. One of them even has the advantage of seniority over Lalla Aziza. Another is, more than she, of classic type. The third is closer to actuality. And these last two saints, although less intense in imagery, less ambitious in scope, have nonetheless retained in the life of their group, in this case the conquering Idma, a morphological function which, well beyond the anecdote, links them to our remarks.

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The Cycle of the Founder

Sidi ᶜÂmer u H'addo, sometimes called Baba ᶜÂmer, has his tomb in a. H'adduyws, that is, in the high-mountain taqbilt that refers itself to the eponym H'addô u Yûsef. This is not the place to criticize the orthodox but anachronistic Almoravide attachment of which this H'addô now forms the object. The cupola of his son, ᶜÂmer, between the villages of the a. Zemlal and the a. Bâh'ammo, on the trail that goes up the Seksawa in the direction of Fensu, rears a modest piece of masonry, seat of a cult whose importance seems to be more and more reduced. Fossil cult, one might say. An observer noted in 1928 that only the people of Agadir n-Tsuggin, a. Bah'ammo and Uzago participated in it. But he notes also, and this is more important, that here again there is not one, but two feasts: one of avowed naturist vocation, at the time of putting water in the ditches (March), the other coinciding with the Nativity of the Prophet. This parallelism with the cult of /300/ Lalla Aziza must hold one's attention and calls forth the same remarks, even though on a much smaller field.

These rather sparse elements would authorize no commentary if one did not quite opportunely have at one's disposal here old acts whose analysis is going to permit closing up the problem of the relations between the legendary tradition, successoral devolutions, and history.

/The rest of the section, up to the last two paragraphs, are in small type in the original source./ 1) A recent copy (late ramad'ân 1341 Heg.) of an act very likely found in the Mentaga tribe at Tansimt. It is the waçiyya, "testamentary donation," that ᶜÂmr, in his lifetime and on his behalf, signified to the people of a certain number of villages: a. Bah'ammo, a. Zemlal, a. Fensu, Tasa. It was exhibited to us in the sanctuary one day when I visited it in the company of R. Montagne. It stipulates, for the benefice of the saint and for each year, one fleece per herd, the harvest of three walnut trees, three churns of butter in March, a feast in March (note that the one of the Nativity is

/300 cont./

175 not mentioned), and, by foyer, on the first day of the Fast, the
776 contribution of a dish of porridge duly garnished with fat; "who-
794 ever eats of it, the h'arâm will melt in his body like salt in
428 viands."

There it is, to the life, one of these imposed, and undoubtedly argued, chchard' stipulations, which so often form the point of departure of the saints' benefices. One should note also the archaism of the testimonial procedure (in this case, it is a matter of a sort of testimony by turbs, anterior or foreign to the Adular /fr. adoulaire/ instrumentation and at the same time to the organized laf'îf). Finally, the simplicity of the details on the purifying banquet does not lack vigor.

175 A genealogy follows, intended undoubtedly to determine the
428 rightful claimants. Here it is.
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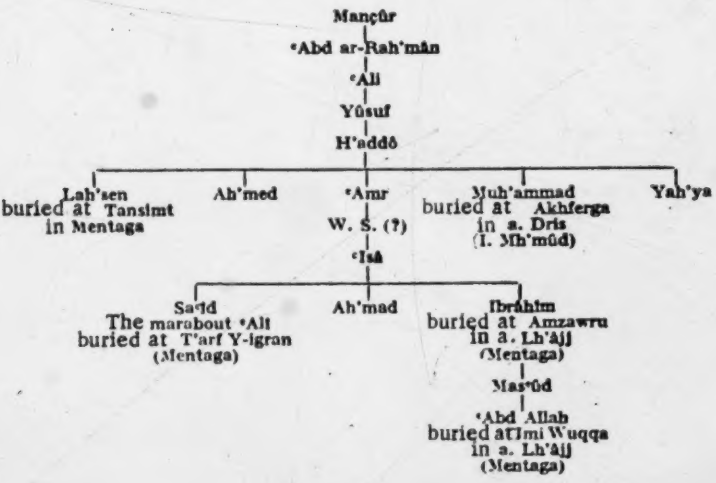

/303 cont./

796 b. Bûbker buried at Ad'erd'ur. Thus, very lively local individuality, at the same time as participation in a movement of minds that is attested to us for the Sous in the sixteenth century.

792 The zaouia, where half the present inhabitants call themselves /304/ descendants of Sidi Lah'sen, is set up under the walnut trees, in the bottom of a hollow that the denuded mass of the [172] Afuzar oppresses. Ground of a terrible dryness. The ravine that [487] unites it with the valley is full of calcined ruins of former a. Gasa villages. To the South, a steep path connects it to Ikis by way of a sparse forest of small oaks. On the side of the Afuzar one sees the abrupt col of the Meggayed'. On the other side are the [634] Gedmiwa, or at least their high cantons, where the remainder of [794] the conquered took refuge. Far within the other tribe, the zaouia collects its chchard'. It thus forms the junction between two systems, separated today, but which the old history, revealed by an always young hagiology, united. A number of students from beyond the crest come here. And the zaouia owns property in a. Gasa. So many signs of a former straddling of both sides of the 776 Afuzar. The saints, whose service skips over the precarious hu- 174 man limits, often set the researcher on the track of ancient solidarities. We can lay out, with what tradition knows of their itineraries, of their perimeters of attraction or of radiation, a veritable cartographic document.

796 The intellectuality of the origins of the house of Assttif has been perpetuated up to our day. It has even had a fqîha, Lalla Fad'ma, an expert in Mudawwana. Above all, it has given birth, and even of our day, to a saint: Sidi Muh'ammed u Abdallah, of 776 whom there will be talk later. Highly integrated with the ag- 634 gressive history of the Idma, it has not ceased to lend them its support as patron, guarantor, and arbiter. It presided over the [666] elections of chiefs at Inraren Z'dinin. Its border position allowed it to extend its political action far to the E. In the recent period, [631] at the time of the development of the power of the great caids, it thus played a certain role in favor of the hegemony of the Mtugga.

796 It has always avoided, as we have noted, being integrated 796 with the naturist feasts of other Seksawa saints. Its orthodox

/307 cont./

796 Sidi Mh'and, as has been seen, is probably the only one of his kind here. Inventor of springs, and protector of fields and herds, his importance is great, especially in Idma. Associate /Fr. Parèdre, from the Gk. paredros/ of sidi Lah'sen in the acts concerning the life of the taqbilt, he also receives a cens in other Seksawa groups.

796 /The following four paragraphs are in small type in the orig-
• 794 inal source./ Approximately 80 villages furnish the saint what we have called a "subscription." That is, by taqbilt: Idma, 4
[634] villages; a. Musa, 1; a. H'adduyws, 10; a. Chaïb, 4; a. Bkhayr, 2; Afella Issen, 2; Irohalen (Demsira), 2; a. Lh'sen, 5; Sekrat, 2; a. Daud, 4; a. Mh'and u Musa, 2; Iberhan, 2; a. Abdella, 4; a. Lbûr (Nfifa), 1; Dwiran, 2; Mez'ud'a, 6; a. Tigidar, 1; Ind Maghus, 1; Amejnes, 1; a. Gasa, 1.

[792] This expansion amply goes beyond, in all directions, the close radius of the zaouia of Ammern. Circum-Tichka ensemble on one side, tribes of the col of Imintanout on the other, and points on the Dir, as far as into Gedmiwa. In other words, perimeter of some half-scores of kilometers in radius. And it is only a matter of a saint of really rather limited total importance.

The content of the chchard' is naturally variable. In general, it consists of an annual charge for each foyer of half a measure of barley or maize and the churning of butter "of a Friday." For only the Seksawa tribe a rough evaluation gives the following quantities:

[592] One thousand foyers, grouped in some 25 villages, pay annually at Ammern: 63 qx /quintals/ of barley, 161 kg. of butter, 26 qx of maize, 3 sheep, one bovine, and 12,000 nuts. That is, in the course of 1951 a value of about 250,000 fr. It would seem that this total must be quintupled, bearing in mind supererogatory gifts and offerings, the object of fruitful quests practiced by the igwrramen, according to the itinerant method. In 1951, one of the beneficiaries having, unknown to the others, collected on the spot the gifts of a single village of Ind Maghus, a complaint was lodged. The final transaction involved 5,000 fr. To which are

/307 cont./

796 to be added the proceeds of the large feast celebrated each year
794 at Ammern itself and the fees for the pilgrimages to the tomb of sidi Mh'and.

This is not the place to pursue this kind of evaluation. The above figures will nevertheless give a sufficient idea of the economic support of the hagiology in Seksawa and of the role that it plays in the circulation of goods, as a center of attraction and consumption.

796 For some fifty years, on the tenth of September, Ammern
782 has been the seat of a so-called immolation ceremony, tighersiwin, like that of Lalla Aziza, which, however, is older. An ox is sacrificed by each canton of the Seksawa, to which are added
[184] the Iberhan. The resemblances with the ceremony of /308/ Lalla Aziza are great, except that the procession here goes in the direction of up the valley, up to an area situated above the sanctuary. The same Mohammedan litany resounds there, grandiose in this rugged spot. Then offerings in money are deposited, while in the sanctuary the recitations of the scholars buzz. The crowd presses
796 in, curious, moved. Business is done: animals, olives, almonds. One strikes up acquaintances; one makes agreements for betrothals or other combinations. A moralist mountebank says, matched with emphatic gesticulations, the h'ddit, "homily of instruction" on the duties of prayers, ablutions, etc. He catechizes his audience, whom he has had put the hands together in the gesture of vow, dduᶜâ. And undoubtedly he will not hasten to have it reopen them too soon, for he puts it little by little in a state, not of trance, but of emotion and plenitude, of which the final collection will feel the effect. With moving gestures, cleverly intermixing his sermon with religious couplets, chants, interrogations ad hominem, shaking a sheet covered with characters that he pretends to consult, even though he does not know how to read, he impresses the good people, from whom he elicits from time to

/308 cont./

796 time applause, or rather what we would call a ban /measured applause/ (1).

1. For this society knows "applause," chchamkha. Expression of the mountebank, "A ban!", chchamkhat îli-h, a locution in which Arabic and Chleuh /Shluh/ blend.

[794] In the enormous hubbub of the crowd and animals, a note of youthful and poignant tenderness coming from the heart sometimes rises on a single tone: some tt'aleb invoking the name of God. From the level of the crowd, of the commune, of the rural feast, this cry rises to another plane. It escapes the sociology of groups.

/309/ III Individual Depassments

128 God among the Seksawa

"A god understood is not a god (1)."

1. R. Otto, Le Sacré /The Sacred/, tr. 1929, p. 45.

And this study would abandon the essential if it were limited to the rites, to the figures, in a word, to what can be apprehended from outside. On the inside resides the tremendum, "the mystery that makes one tremble."

114 781 On an August night a multitude descended the escarpments of the Tichka. The festivity, the whole day, was in full swing. But the signal to return had been given already at the evening meal, for it was better to make the difficult stage of the Tabgurt, a six hours' march, in the coolness. A French visitor, by way of an unbelievable slope with hairpin bends, plunged into darkness that even dulled the trembling glimmer of the candle ends, entrusted himself to his mount. There was nothing else to do. This was an

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[534] /313 cont./ example) the talent of a tambourin player. He is an assistant greatly in demand for all the choruses and dances in this part of the mountains.

Around him a legion of cousins agitates, avid for their part of the benefice and not falling back before the cunning or /314/ violent competition. Beyond the "portable" offering that comes [794] at the time of the tighersiwin, or at the time of the payment of particular cens, there are contingent ones, or those "paid on application," which so-and-so of the rightful claimants goes to seek, taking his chances, from tribe to tribe. This quest is not exclusive of either harsh disputes or sometimes of trickery. Such an agurram carries off the share of the legitimate devolutionary. [691] That ends in proceedings under the compliant eye of the temporal chiefs or of the jemâa.

No particular dignity, no hypocrisy characterize these com- [778] portments. Titularies by inheritance of a parcel of the "benefic emanation," or baraka, and, correlatively, of a portion of the cens or fees owed the saint, his descendants exploit it with a naïve impudence, in which the good people are not far from recognizing a trait of this simplicity in the passions which is so compatible with the profession of the sacred.

Like the ig^{w}rramen of Assttif, and even more than them, those of Ammern help in understanding the peculiarity of life resulting from a "maraboutic" origin. No moral judgment, no notion of merit is mixed with their prestige. They can be quarrelsome, greedy, or debauched, like any of their neighbors. Less absorption in field work, a diet with more meat, resulting from so many sacrificial offerings, a physical selection testifying to more experience, and more taste, in the choice of wines, differentiate them physically from the profane. Also more freedom in their ways, due to the traditional fiscal exemptions, tawqîr, and to fewer inhibitions. The agûrram is one who lives [778] fully. Nature is allowed to speak in him, even in the form of the most unbridled of appetites, or of incoherence, for this nature is itself bearer of baraka. One seeks in it a sort of

792 /315 cont./
keeps its name: si Muh'ammad Uzinit', such is the name under which the I'lâm registers him (1).

1. ʿAbbâs b. Ibrâhîm, al-I'lâm bi-man h'alla Marrâkuch, t. V, 1939, p. 307.

And in the same region, if we go a little beyond the cadre of the Seksawa, the case is not isolated. The barbarous a. Mh'and u Musa have indeed maintained a "cadi" Ulwâh', famous doctor, [181] [693] a great one in jurisprudence (2).

2. Al-h'afîz' al-Fâsî, Riyâd' al-Jinna, t. I, 1932, p. 58.

Let us pass on from phenomena of this nature, naturally more abundant in the Dir, and these moraines of zaouias and médersas that border the mountains. It is rather, in spite of the difficulty that the distance of these figures in time creates, on the side of the great jurists and great saints of the South, all coming from the most personal, the most confined corners of the Atlas, a Suktânî, a ʿAbbâsî, a Nâçirî, a Tamanârtî, tens of Samlâlî, and still so many others, that it would be necessary to orient the analysis. Such an investigation of "literary history," as Renan would have said, would indeed be of interest. It could cast useful light on the cultural history of the Moroccan South, so poorly known up to now. But it is better to give it up out of qualms for precision, or rather localization.

212 More directly observable, if not more decipherable, is the
• 794 t't'aleb of yesterday, today, and always. We shall again see his silhouette appear when studying the juridical structures of the milieu: there, too, his role is important. For the moment we shall interest ourselves only in his spiritual role. He has, of course, a wholly /316/ orthodox side: the periodical recitation of the Book and the "attachment," mulâzama, to the communal sanctuary. But his heterodox aspect is even greater. The psalmody of the great texts, the handling of the dangerous thing

/316 cont./

212 794 that scripture is, the more or less occult utilization of the Arabic formularies, finally a separate mode of life, in which the hands are devoid of calluses, the face pale, the arms without muscles, the body slender, the health precarious, all these traits make up for the t't'aleb a physiognomy singularly ambiguous and powerful. Let us not speak of his habits, which have nothing to do with the subject, except they sometimes constitute an additional element of segregation.

212 794 789 (688) In fact, very few of these scholars resist the temptation to utilize their power. Sale of exorcisms or making up charms, that is only the lesser evil, and this society, perhaps because it has no clergy, sees no simony in this. But there are white magic and black magic; there are especially demonology and necromancy. In common belief, the t't'aleb, after some success which he uses for the realization of his appetites, is himself victim of the forces that he has released. Like the sorcerer's apprentice, he is henceforth dominated by these forces: demons command him, and finally make him decline, leading him to a bad death or precipitating him into error. It is thus all over for those who frequent him or have had trust in him. The past, even recent, of the Sous and of the Atlas would provide many examples of these deviations. In general, they have taken the form of manifestations of fanaticism or indeed of messianism. To go back only to the last independent amghar of the Haut /Upper/ Seksawa, it was the t't'aleb-s of the Mentaga who, making demoniacal alliances glitter before him and promising him "mastery of the hour," launched him on a hopeless adventure. Many anecdotes of similar type could be reported. And certain ones even more recent.

127 Here is a document emanating from a fqîh, not from the Seksawa at all, but from a closely neighboring montagnard tribe, the Ergita, document acquired on the occasion of a judicial action, autographic, and offering, from an ethnological point of view, so much interest that we shall give it here in extenso. It is a confession.

/316 cont./

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539 /The rest of this section, except for the last three paragraphs, are in small type in the original source./ Know that I left the mosque of X... in a turmoil and extreme anxiety. That in April. I remained in this trance more than four months. One day I saw a glimmering similar to that which the moon emits before the sun. When it came up to me, I set about proclaiming my prayer. "Very good," said a voice.

[212] [794] A dream came to me in the mosque. Someone was telling me: speak to the /317/ t'olba ad-dawla. I then went to the mountains to relate my vision to the t'olba.

And he said to me, "Salvation upon the t'olba of Y." I remained there until he said, "Salvation upon you."

I then came to this spot about which the birds had spoken to me: "speak to your God at the mosque of Z..." I assented three times. Then I waited there until the approach of the Suq Tleta. It was then that a voice said to me: "Mbarek uld Brahim, leave the Tleta."

We set out with Si Ah'med ou Bihi. We found work and bastinado. We returned home.

The second Tuesday, we bought nothing at the market.

The 3rd Tuesday, I went to the market determined to accomplish this act. I then said to myself: "No," and returned to Z...

But that very night, I myself saw Him who said to me: "Why have you not executed my order?" Terrified, I awoke. My son was also terrified. I fell asleep again. My son became frightened a second time. His mother asked what it was.

I went to Si Moh'ammed N. and said to him: "What is this vision?"

A being spoke to me in the mosque and directed me to go to speak with the t'olba ad-Dawla. I then went to the mountains and told this to them (to the one in the zaouia and to another in Ichekad'en). "Last night he told me: 'Salvation upon you.' I saw a bird who called me to God. I told him 'yes.'"

[789] -- "Do you then practice thaumaturgy?"

-- "No."

/318 cont./

778 name, Jebrir (Gabriel), is sometimes given to children mean
776 that the "mystery of grace," ssirr, will not cease. Holiness is again present, recognizable by its miraculous tone.

778 And here is one manifestation among others:

776 /The following paragraph is in small type in the original
114 source./ Sidi Moh'ammed, father of the present fqih of Talmst in Nfifa, descendant of sidi Âmer u H'addo, was preparing one day to take leave of me, when a violent storm broke out. I tried in vain to keep him. In spite of my insistence, he then left the house and, at the height of the storm, ascended the very exposed crest that leads to Imi..anout. I accompanied him. In spite of the fury of the elements not a drop of water reached us. A zone /319/ of preservation stretched around us. How amazed I was, upon returning to the village, to learn that a veritable tornado had been raging, uprooting trees and inundating the dwellings!

778 There is more than "superstition" in the belief in this im-
776 munity of the saint: the narrator is an educated believer. If he were asked to explain the phenomenon, no doubt he would call upon divine intervention; similarly no doubt he would mix in ethical ideas on the saint's role and the just recompense which, through the karâmât privileges like that one, renders this recognizable to the faithful. These distinctive signs can be useful, as has
[212] been seen, in avoiding unfortunate confusions in a milieu where
[194] the ambiguous figure of the t't'aleb, participant in both an unsophisticated scientism and old esoteric traditions, assumes communication with the invisible world. The new powers hidden by the Arabic writing, in a society that is taken with it to the point of attaching all its law to it, has these risks as ransom. Classic ambivalences, and all the more dangerous, even in the eyes of the believer, as the writing is decked out in an air of piety and culture.

792 In this respect they open, in the old rural atmosphere, an
794 evolution toward repudiation. The jostling of the unlettered agurram and of the scribe of furtive sapience within the same

/319 cont./

792 zaouia, or the same village, already makes a contrast stand out.
794 It is not rare that the local scholar very soon affirms his distrust with regard to agrarian rites. He displays a skepticism whose expression, astonishingly free, would belie the good nature of such a milieu, if we did not know to what extent this milieu lends itself to breaches of tone, to paradoxical proximities. Rural unanimity, rationalist criticism and occultism merge in strange and diverse fashion in the Mussulman affirmation. Certainly, the despoliation of the communal restraints, rebellion are embodied in such an individual, separated from the crowd. But they can be embodied also, more obscurely, in each one. Each may feel the appeal of protestation, of flight, of adventure. And this appeal will meet that of the "luminaries" and of orthodoxy. Hence the complexity of the phenomenon.

000 This progress is likewise that of the variety of minds and of the division of labor. It is often accomplished by the emigrant. It then includes economic traits and may end when these traits are effaced: recovery of the land and return to the mountains, fortune once made. But these stages may be passed spontaneously by such-and-such individual mentality.

What is more common today is the escape of the worker, through the union and the politics of the towns, and the escape of the /320/ military man, through the jovial impiety of the camps.
792 But the scholar, too, "escapes" in his fashion, through the occult
794 powers of writing, the advancement of his culture, the repudiation of the rural imperatives. The role of communal officiant, which is given him by the group, is greatly surpassed by his sallies of an individual more refined than his brothers. This depassment can lead to error. But it can also lead to holiness. In the recent period the Seksawa have known at least one example of these exaltations of the person, or — this is the other face of the phenomenon — of these personal elections of Allah.

159 /The rest of this section, except for the last two paragraphs,
792 is in small type in the original source./ It was only in 1915 that
175 the agurram Moh'ammed b. Abdallah, descendant on the tenth

623 /324 cont./
634 the intervention of the collectivity appears to have a jurisdic-
619 tional or notarial value. This testimony is important. It is not
691 at all isolated.

In the old Seksawa titles one often finds mention of the jemâa not only as Senate, or as guardian of public order, but in [693] judiciary or arbitral attributions. A writing of 1042 Heg.: 1630, in a. H'adduyws, mentions it sitting simultaneously with a "cadi." More recently, in 1315 Heg.: 1897, a long piece relates the meeting of the entire jemâa of the Idma, with its two moqaddem-s, in order to resolve a serious matter, which, taking account of the reticences of the text, appears to have been the rape of a notable's daughter.

The jemâa, moreover, is always present, like the chorus of old tragedy. But it is also often the protagonist of the piece, [792] either if it exercises its function openly, or if it acts only indi- [794] rectly, through personages who tend to differ with it or even compete with it: profane chiefs like the moqaddem or the amghar, men of piety, of study, or of benediction, like the t't'aleb, the fqih, the agurram.

692 There is one point, however, where a division of labor seems
693 always to operate. This is in the landed-property and successoral procedure. The distinctive trait in this is the dualism. The affairs, first presented to the chief or to the jemâa, are referred to a personage who has been agreed upon by the two parties. In this instance, it was most often the marabout of the zaouias of Assttif or of sidi Ah'med u Âli or of Buᶜanfur, far in the plain. Sometimes, too, it was a specialist called "cadi" (1).

1. On these personages in the Atlas and the Sous, cf. J. Berque, "Un glossaire notarial arabo-chleuh de Deren (XVIIIᵉ siècle) /An Arabo-Shluh notarial glossary from the Deren (eighteenth century)/," R. afr., 1950, pp. 388 sq., with references to jurists of the South.

/324 cont./

693 692 The existence of this latter is /325/ intermittent. It appears most often as linked to the progress of personal power and naturally also to the nearness of the towns. He is supported, but also imposed and oriented by the chief. Nevertheless, he always judges "by mutual accord," s-tarad'i, and his intervention is challengeable, like that of any other arbiter. But is it indeed a matter of an arbiter? Some old documents will permit analyzing the institution better.

175 634 69 /The following four paragraphs are in small type in the original source./ There is first an act of 923 Heg.: 1518, of the a. H'adduyws, recording a verdict rendered in a landed-property case, and which gives to one of the parties the ownership of parcels seized as counterpart of the expenses of mortuary services. And this in a great meeting of Seksawa and Idaw i-yzimmer. The h'âkim bases his authority upon the mutual and written appeal of the two adversaries to his court, called court of the char^{c} /Sharia/, "of the law": ba^{c}da rid'â'i-him bi-majlisi'ch-char^{c}i laday-nâ bi-rasmi't-tarâd'î.

Another act of 1109 Heg.: 1698, of the I. Geryun, in very bad Arabic, relates a complete procedure. The moqaddem and [794] the jemâa place the case of two parties before a fqih designated by lot, ba^{c}da d'arabat la-hum al-qur^{c}a, "so that he may strike them with the sword of the law." It is a matter of a habous [681] /wakf/ lawsuit. The two litigants promise, in case of nonappearance, to pay into the hands of the moqaddem three mithqâl-s in penalty. Initial citation and appearance in court, designation of a judge, referral, fine in the event of nonappearance: all the moments of the first part of the procedure are brought to light here.

175 69 Again a tarâd'î consignation dated from 1122 Heg.: 1710, and coming from two personages from Alus, who solemnly empower a "cadi" of the a. Tikssit to act for them in making a settlement. "They are in agreement (to place) the charî^{c}a of God in the hands of the fqih such and such ... for all that has become clouded between them in the case of land, trees, houses,

/327 cont./

695 121 manner of acting in a doctoral and formal style, the very one of an eminent justice.

Two Procedural Forces: The Writing...

212 691 695 The classic Arabic verb istaz'hara, "to produce, to manifest the proofs of a law," is very often employed in the Seksawa archives, apropos landed-property litigations. In spite of its reassuring pedantry, I am not sure that it is not necessary to compare it with the practice that consists of reading the acts that the parties oppose on the spot of the litigation (qerri afella, "to produce against...," or factitive saghra, saqra, "to have read"). And perhaps even, at a more ancient stage, the act was purely and simply deposited upon the contested land. Hypothesis? The characteristics of efficacity not at all /328/ intellectual and mediate ("elements of proof"), but direct and concrete that the use of these titles offers naturally lead to this sort of hypothesis.

An immense red-tape flora, timidly rising from the end of the fifteenth century, already more fecund in the sixteenth century, subsequently spreads with more and more luxuriance. The Seksawa mountain is a conservatory of charters (1).

1. Cf. Et. in. /unpublished Study/ by B. de La Forcade, "Les actes en pays de coutume /Acts in countries of custom/," CHEAM, applying especially to the region of Igherm.

It happens that these old acts themselves make mention of the days of privation that a chest or leather bottle cost scholars for those [175] [465] [794] salaried on the occasion of a trial. In 1193 Heg.: 1779, the a. Març, on the occasion of litigation, inventoried their acts. Cost: 5 mûzûnas-s in salary to the fqih, who had spent four days of work there! ... In general, the paper is thick and narrow, of heavy 212 695 grain, and veritable cardboard in certain cases. Difficult decipherment, in view of the incorrectness of the language, both

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theology. The ensemble forms an eloquent, seductive, affable, conquering whole, quite in the Arab manner.

Nothing of the sort in the Seksawa society. The acts, arraten, rrusûm, laçl, constitute there the legitimating base and the ultimate recourse of all possession. The writing bears its force in itself, as worthless, as much a "scrap of paper" as it may appear. Perhaps because it extends the force of such individual attitudes: one has seen this in the case of the istirᶜâ'. But moreover and especially because of its nature as writing. The verbal noun ara, "to write," is attested with the sense of "charm, talisman" in several dialects (1).

1. A Basset, "Six notes de linguistique berbère /Six notes on Berber linguistics/," Ann. I. E. O., t. 5, 1939-41, pp. 16 sq., denies the nevertheless tempting relation between ara, "to write," and tiuri, "curse."

[789] The rural scribe, t't'aleb or lfqih, still today concurrently cultivates notarial activity and magical competence, at the same
[875] time that he exercises a municipal religious function, that of
[794] imam and schoolmaster. This characteristic pluralism has lasted up to our day. It reveals a confusion fraught with lessons between different orders of things that we would readily classify in strongly contrasted categories: official cult, communal organization, education of the children, notariate, more or less clandestine
[197] practice of magic. If one adds that Arabic, language of all these acts, has always kept in a certain measure the value of initiatory language and professional speech, one will measure the force that resides in these writings generously prodigalized today by the parties in the course of their litigations. Without exaggeration, one can estimate that, beyond its value as preconstituted proof, it is the act in itself that has an effect most often, ex opere operato, to speak like our Middle Ages.

The very material of the title counts at least as much as its content. In proof, sometimes, of the perfect vacuity of the latter.

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695 175 penetrate the Sous? One points out a Kitâb ummahât al-wâthâ'iq from Daud at-Tamulfî or at-Timfî, m. in 841 Heg.: 1438. This date indeed appears to furnish the terminus a quo, and one will observe that it precedes by some fifty years the procedural shift that our two Seksawa acts reveal. This delay of transmission between the doctrine of a scholar from the Sous, probably the initiator or the popularizer, and the notarial practice of this remote canton is quite likely.

Notarial Role of the t't'aleb

212 794 693 As for the role of the "just," ᶜadl, whom a pan-Islamic evolution has made a salaried professional, it is instructive to compare it /336/ to the one that the instrumentary t't'aleb plays in the western Haut-Atlas. Because there, too, there has been specialization, although in a completely different sense.

Certain tribes, among them the Seksawa and the tribes of the circum-Tichka in general, reserve the notarial capacity to only t't'olba attached, mulâzim, to the village mosques. Accordingly, they are endowed with the force that emanates from a collective unanimity materialized by such communitarian practices: meal of investiture, assessed compensation, etc. The wandering scholar and mendicant that this milieu likewise knows is thus kept from the notarial function, sometimes even in spite of the prestige of the person. A recent decision of the Tribunal coutumier denied any conclusive force to the paraph of an important marabout on the grounds that he was not a village imam, drawing up deeds in this village.

Near the end of the thirteenth century, a traveler depicted the inhabitants of the Sous seizing passing scholars in order to confer upon them the functions of village imam. Four centuries later, the Ajwiba of an-Nâçirî devote long passages to this institution. The adjustment that they point out between the compensation of this fqih and the order of turns for water reveals an ancient and profound correlation between the system and the very foundations of this society. It is of little importance that the personage

1: Berque--473 Z-5 (ca.1950) 1955 MW11 Shluh MW11

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212 794 693 is uncultivated, keeps his head bare, wears only one shirt, lets his wives devote themselves to tasks more or less decent; the Malékite /Maliki/ utilitarianism tolerates him all the same, because, without him, the village would no longer pray and would no longer enter into contracts.

These different traits will complete the encompassing of two essential motifs of the Seksawa, indeed Chleuh /Shluh/ in a larger sense, procedure: the writing and the oath, with their municipal atmosphere. At the same stroke, the beginning of historical precision, in a matter which is ordinarily so deprived of it, comes to cast some light on the relations of juridical modes, whose articulation in time one thus begins to perceive. Although narrowly limited to the field of this study, such elements merit for the ensemble of Morocco the very thing being conferred on the Moroccan South, as producer of juridical forms, an unexpected primacy.

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II. Familial Law

Agnatic Family or Conjugal Family (1)

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1. This problem is absolutely central in our investigation. Hence it can be treated only gradually in the development of the account. The notion of the agnatic group as the basis of Berbère /Berber/ society long ago passed the boundaries of the monograph. It goes back to very old observations, notably made apropos the cut-up habitat, or quarter, and such as are found, for example, in the Voyages d'Ali bey /The Travels of Ali Bey/, 1814, t. I, pp. 90, 217. Masqueray, Formation des cités chez les populations sédentaires de l'Algérie /Formation of cities among the sedentary populations of Algeria/, 1886, draws some valuable analyses from it. Ali

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432 [195] [175] country is sold, a whole mountain canton. As an act of 1093 Heg.: 1687 says, "all of it is sold, including the jackal of the forest," jami^{c} mâ la-hâ fî dhi'b al-ghâba.

To the lineage revendication, a term that appears to correspond to the patrimonial constancy of the ikhs, is added yet another resource: the chchfâa. This is a matter of something much broader than the faculty of pre-emption that the fiqh offers to the joint-tenant /Fr. coindivisaire/ of the seller. It is not even excluded that formerly the son would have been allowed to put it in opposition to the sales of his own creator. Such a pretension, monstrous in the eyes of the Mussulman law, and moreover of logic, was in 1952 seriously brought before the Tribunal coutumier. In fact, what the Seksawa call chchfâa could be defined: "the exception drawn from the patrimonial maintenance." Sometimes, and this is the orthodox case, a relative intervenes in order to make the option work to his advantage; but by definition this form is as rare as the sale itself. In the generality of the cases, the exception comes to act a long time after the event, as a means of having a habous sale rescinded. I thus come to this institution, which, in Seksawa country, does not at all have its classic or even Maghrebi physiognomy.

Agnatic Sequestration

●794 423 What is striking first of all is that in the Seksawa mountains the goods of a zaouia, such as the zaouia of Lalla Aziza, a rather large estate-holder /Fr. domainière/, have the characteristics of a private estate. Likewise the turn for water, for example, earmarked for the marabouts on the downstream séguia. On the other hand, the private goods in the mountains are habous most of the time (2).

794 423 428 562 2. This meaning of the habous has been seen clearly by J. Lafond, Les sources du droit coutumier dans le Sous /The sources of customary law in the Sous/, 1948, pp. 81 sq. In

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794 423 428 562 [432] [184] /footnote 2 continued/ theory, however, the woman's right to inherit is absolute. It is exercised not only in the margin, /this footnote is continued on the following page in the original source/ lh'âchit, that the "agnatic sequestration" lets exist, but it is a constant procedural theme. The women's share often being forgotten in the acts of sales, this will later bring about their annulment for all that concerns the women's share, and without prescription intervening. On the other hand, in neighboring societies, the Aghbar for example, if one is to believe the in. /unpublished/ monograph by Lepage, the woman cannot possess landed property in the Imsifern leff (a. Gasa, a. Tkssit, Amismatert). She may, on the contrary, in the Inghertit leff (a. Gâir, Imelwan, Iwensenkten).

794 428 562 [171] From these habous, pious devolution, even distant, /364/ is formally absent. That then is the extreme case of what has been observed nearly everywhere in North Africa under the name of "private habous," and where the exegesis has correctly seen a procedure of disinheritance of the women. Here the intention does not disguise itself by any stratagem, is crudely displayed. The founder specifies that, in case of extinction of the male branches, there will be a carry-over of the ensemble of the inheritance.

794 428 [175] War, emigration have sometimes posed this case. This is the so-called type of the inquirâd'. It is rather frequent. An interesting fatwâ of 1220 Heg.: 1805, emanating from a jurisconsult of the Imt'ddan, concludes with the help of texts that the carry-over of the habous should benefit only indigent heirs and in order of decreasing necessity (ih'tiyâj). A second opinion, bracketed with the first one, is further supported by the judgment of the jurists of the Gezzula, utilized in his Ajwiba by ᶜAbd Allah b. Ibrâhîm at-Tamullî. Ar-Rasmûkî would have likewise judged in this manner.

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794 428 In spite of these endeavors of the doctrine to reconcile the theory of pious affectation with a very different practice, the Seksawa habous is nothing other than an "agnatic sequestration." It does not even allege the intention of piety and sets itself up as pure testamentary modality. An incertitude has always marked it with respect to its effect upon inalienability: is the latter pleadable by the lessor himself or his beneficiaries? Can a convention of the latter at a given moment revoke it, in which case the woman's portions, originally ejected, would be claimed again on the mass? Seksawa jurisprudence is not closed on all 794 428 671 these points. It is even interesting to note that this incertitude anciently provoked a legislating initiative.

An undated document of the I. Geryun subordinates the inalienability of the habous to the absence of a contrary stipulation of the constituent. In 1287 Heg.: 1832 seven elders of the Bas /Lower/ Seksawa ordained that the consistence of the margin, lh'âchit, left for the benefit of the daughters will be one half of the fruits of the foundation, the other half returning to the habous. In this fruit is also included the product of sales, pledged loans, etc. "Such is the custom of the Deren and of the Dir," they solemnly added. But from all evidence such legislation aggravated the incertitude of this habous, which seems, to /365/ speak truthfully, not to have properly any content, except to open a recourse for the male heir against the woman, and especially for the descendant against the foreign acquirer. The right is identified here with the action, and it is probable that it is necessary to rank this habous and the chchfâa that threatens it among these procedural resources with an effect based upon surprise and feint, and whose role is so important in the unfolding of the litigation.

794 428 634 The statistics of the habous in the mountain tribes would be quite interesting. Some twenty years ago, one of our officers noted that in three Idaw Mh'mud cantons (1),

1. Lieutenant Combe, in Les Habous de famille en Ida ou Mahmoud /The family habous in Ida ou Mahmoud/, 1932. He distinguishes two groups:

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/footnote 1 continued/ on the one side, a. Tunert, I. i-yzimmer, Irohalen; on the other, Ichkajjen, a. Dris.

against which the Seksawa are directly backed (a. Tunert, I. i-yzimmer, Irohalen), it is the totality of goods that is obligatorily "haboused": hence inalienability and disinheritance of women extending to the ensemble of the ground. Elsewhere it is a matter of a simple faculty, but so laid under contribution in the mountains of Imintanout that at the same period the proportion of habous was evaluated at two fifths of the tillable land. Twenty-five years ago the judiciary jemâa of the Demsira even expressed the wish that one half of all contested landed-property should be considered habous. This practice has not been retained. But it prevails in [671] Haut /Upper/ Gedmiwa under the name of taûqît (2).

2. But nothing may be concluded with certainty, the customary law of the Aghbar seeming to have undergone recent evolutions of an administrative order that have accentuated its imprecision. It appears to us today, much more than the Seksawa law, to be a "patoisant" /speaking with a provincial accent/ law, whether this character be ancient or acquired.

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On the other hand, scarcely any habous in Bas /Lower/ Seksawa, downstream from the confluence of the asif n-a. Lh'sen. A [691] foundation of the protégé of Brives, Ah'med ou Bihi, at Tuz'z'umt, was regarded as an anomaly and gave rise to a long lawsuit: it is true that the wife of the founder was a foreigner from the Mtugga. [777] Even lower, in the plain, permeable to outside influences, this form concerns, as in Arab countries, only a minority of "great families." It doubtlessly then finds the alibi of its pious intention. On the contrary, it is so frequent in the mountains that it is presumed of all land. But the customary judge opposes to this

794 428 (695) /365 cont./ But the customary judge opposes to this exception /plea/ the necessity of establishing by "inventory," jrîda, the initial consistence of the properties on which the foundation bears. He opposes to it also — but since when? — the argument of peaceable possession exercised by the defendant, if nevertheless the claimant or his creators were present in the country. Obviously no conclusion can be drawn from these /366/ (177) (178) practices. There are mixed together here preoccupations of equity inspired by the French advisor, a concept of decennial prescription borrowed from the fiqh, and a general tendency toward the consolidation of acquired rights. So many recent evolutions.

12 794 This geographic distribution perhaps marks different stages of the institution. In this hypothesis, the "purest" one would be found upstream, and especially in these three I. Mh'mud cantons where the land is entirely immobilized. It is possible that that would be the original stage. But if it is, it is necessary to recognize that the parties' freedom, by a curious paradox, went further in the matter than the fiqh wished. At least among the Seksawa an express convention of the devolutionaries can free the landed property. Is that a matter of an eventuality more theoretical than effective? This is impossible to specify. In fact, as is known, the settlement of landed-property affairs took place "under the sign" of the fiqh and in any case in a climate completely different from that of the conflict. Therefore no jurisprudence that was not (173) suspect of transposition at the very least. As for the oral tradition, today very much impaired by the progressive disappearance of the old people, and the influence of recent organizations, it becomes very subject to caution as soon as the problem becomes nuanced. It is too stuttering for one to be able to base anything precise on it.

794 428 671 (562) (184) One thing is sure, however. These foundations are subordinated to the stipulation of a "reserve" or "margin," lh'achit, to which the habous does not apply. This portion of the landed property remains subject to the common law. The women benefit from it, either by having it available as property or by only enjoying the usufruct. On these points the variety is very great between taqbilt-s and expresses complex evolutions. Nevertheless, and in all cases, the absence of lh'achit is a nullity. In a milieu as bereft of precision concerning the notarial practice, one weighs what this formalist rule will bring in the way of surprises in the course of proceedings. Quite often this unforseen new thing will

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794 428 671 decide the litigation from a point on the whole secondary, like a feint in a joust.

That is a new chance opened up to the adversaries of the habous, a new possibility of play, anything but negligible in the spirit of the system. But what accumulated risks! The landed-property procedure of the Seksawa recalls the shows in which a [423] player must guide his ball through a multitude of snares and traps to a very chancy issue. This issue, in the case at hand, is the alienation of the land. And although it results from possibilities opened up by the orthodox law, which one professes /367/ to follow, and by the very form of juridical expression, one divines at what point it remains improbable, and doubtful even in success.

General View of the Familial and Landed-Property Law

121 If one now groups the most striking aspects of the system, one will realize that it is the triumph of Homo oeconomicus. Of the rite and the tool, to return to the two antithetical notions from which, for a Moroccan society moreover very different, Azemmour, the late Ch. Le Coeur drew his inspiration, it is by far the second that occupies the foreground here. One might even say the tool in the proper sense: namely, the peasant's hoe, this agelzim that sculpts the tiers, distributes the water, inscribes, in gains of a few square meters, the patient work of generations, fashions this rural landscape, which is the most made that North Africa knows. Workman's landscape...

121 671 But this impression is modified somewhat if one leaves the domain of the law that is conscious, avowed, marked by its successoral schematism, its litigious tricks concerning goods, its ratiocinations concerning household life, in order to examine its relations with the agrarian order. At this level a ceremonial commentary, a sentimental context envelop words and gestures. Agnatic solidarity appears as one of the active bases of the life 121 of the canton. But what remains of this structure once past the 671 threshold of judiciary debate, which is also the threshold of the 212

634 /376 cont./
554 a void, or out of a sort of revenge against the event — so consid-
634 erable is the role of the fiction in these societies. The fact is
671 that this genre of writings is manifested up to our arrival. Who knows whether the multiplicity of clauses was not sought after as a guarantee against an invading arbitrariness? Certainly, the guarantee is /377/ more or less efficacious. Not only can tyrannical power henceforth infringe upon these deliberations, but there is something even more serious. The new magistery is based on a new political morality. The automatism that the commune looked for in the application of punishment gives way to a discretionary valuation, which it would be false to say is constantly iniquitous. It would not be maintained in such a milieu without the support of legitimacy. But another legitimacy. Codification henceforth collides against the nuances and contingency of a praetorian jurisdiction, which undoubtedly does not fail to invoke religion, reason, and good sense against its rival. The transition is accompanied, among many justiciables, by a feeling of liberation with respect to old constraints of the group, of immediate and pitiless effect. A new faculty of instance, of remise for cause, of individual proceedings and recourse opens where hitherto only the strict communal mechanism tried to govern. Such authentic instincts of the milieu doubtlessly obtain satisfaction. In one sense the amghar carries with him a faculty of deliverance: it is the very one of anarchical destruction, but also, in a sense, that of enlightenment and individualism. One is poorly equipped to describe with precision the play of factors whose alternating victories have undoubtedly filled several centuries, and not only the nineteenth. It will suffice here to have extricated the character of it.

175 In 1132 Heg.: 1720 a fqih originally from the Arghen, the
634 tribe of Ibn Toumert, rises to interesting distinctions, which show
554 to what work of the intellect, and critical intellect, the institu-
[212] tion could give rise. "Among these rural people," he says, "the
[794] jemâ^{c}a and the moqaddem play the role of sultan in regulatory
affairs (aḥ'kâm). The moqaddem is the imâm. If they agree to
[681] compose (sâmah'a) or levy a fine (inçâf), they divide the fine,
and the portion of the one and the other is evident. If they

/383 cont./

671 thirteenth century, it creates the communal convention. It is by
[779] a contract.

One thing nevertheless remained inassimilable even though it tried to absorb it into the accommodating Malékite /Maliki/ opportunism of the maçlah'a. This is the faculty of legislating (1).

1. De Ligniville, "La coutume privée des ait ᶜAt't'a du Sahara /The private custom of the ait ᶜAt't'a of the Sahara/," in CHEAM, 1937, gives interesting details on some important legislative modifications decided by means of ekklêsia: right to inherit granted to the woman, the suppression of the character, executory with respect to marriage, that was given to the application of henna to the conjoints, the husband's designation of ten men prohibited to the repudiated wife, alleviation of the levirate, the introduction of the waly, etc.

Laic faculty in its foundation, democratic in its exercise, unlimited in its applications. Two examples of it have already
[421] been cited: a procedural deliberation over property, and another
[586] over the status of the wife and her right to autorepudiation. Two
671 other deliberations, quite recent, have governed the distribution
794 of the offerings of Lalla Aziza and of Sidi Mh'and of Ammern. In both cases the jemâa of the Seksawa had to be aware of the finances of its saints. And although these deliberations have been provoked in our day by a foreign initiative, on grounds a little experimental, they nonetheless include a lesson. It was only to observe the naturalness, the gravity with which the assembly took hold of matters so exorbitant of everyday life — at least to our eyes — in order to understand that to its people its competence extended not only /384/ to the temporal administration, not only to the status of persons and goods, to the whole matter of the

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[794] private and public law, but further to the administration of the sacred.

Let us remember the constant intervention of the group that is revealed at all levels in the religious, economic, juridical institutions of these societies. Let one judge what its initiative could have been in the periods of expansion.

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Group Reaction
Individual Ethics

Attempt at Reconstitution

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Thus, in this life, two elements confront each other. The one, patrimonial; the other, movable and acquisitive. One establishes an equilibrium on the structure of the group, itself linked to an agrarian order; the other provokes incessant competition fed by full monetary play and the expansion of contracts.

On the one hand, law of the soil and of origins; on the other, law of money and convention, in other words, also a law of individual work and adventure. Between the one and the other, a tension, which further results from certain aspects of the judiciary joust, but formerly must have been expressed more fully. For four centuries a least a contentious genre ruled, where the law is expressed by action and has writing at its disposal. But the group, let us take heed, maintains this justice outside its walls. It may conspire, indeed in spite of itself, with the montagnard order. It is too far removed from it in its spirit as well as in its methods. In the end, it will destroy it.

There was undoubtedly a time when states, or, better, juridical attitudes, counted more, linked to the structure of the city and guaranteed by immediate safeguards, some traces of which still remain. It is not that their relations excluded movement or the unforeseen, or froze the person in an immovable communitarian equilibrium. On the contrary, one might imagine that the economic modes did not often depend upon what we call equity. Temporary success by violence, seizure of pledges very broadly

Pl. X

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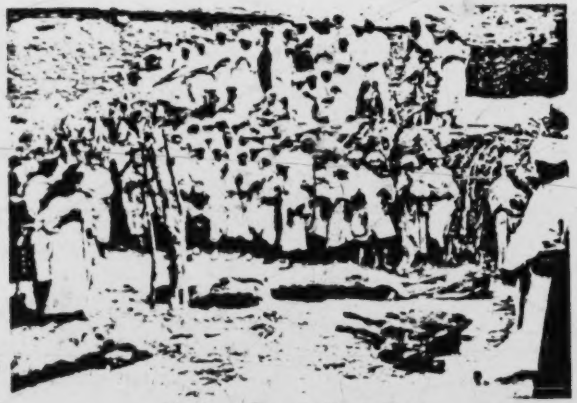

Hecatomb to Lalla Aziza

It is the day of the sacrifice of July, tighersiwin yulyuz. Each victim is offered by a taqbilt. The amghar is the sacrificer. The gesture of the hands of those present is that of invocation.

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Invocation to Lalla Aziza

The foqra, after the sacrifice of the victims, make a ddu^{c}a. In chorus they repeat the invocations of the moqaddem, which call for baraka for the partipants.

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466 476 The "touiza" is obligatory with regard to the taleb, the moqaddem, or the amghar; except in the case where a beneficiary is without resources, food is offered to the workers by the one who uses them. Inversely, one sees at present in the same [651] regions subject to the authority of the Makhzen /makhzan/ the [177] inhabitants of the village furnish to the kaids a number of days of "touiza" regulated by custom or fixed by the chief himself according to his needs. Each one brings his food and must often also contribute toward the maintenance of the kaid's slaves put in charge of the supervision of the work. This institution, which [178] was originally a work of mutual aid, has become in this way a [651] source of abuse, and its name is associated in the complaints of the montagnards with that of the "frida," an extraordinary contribution that a representative of the Sultan, kaid or caliphate, levies as often as he can in Berbère /Berber/ country.

* 634 652 [651] [681] In the independent fractions, it is exceptional that the /248/ "taqbilt" treasury is reconstituted by means of extraordinary taxes or "frida" paid by each household. One-third of the fines paid by the guilty, reserved for this purpose, most often suffices, and the Berbères /Berbers/ feel profound repugnance toward paying contributions, with which the "Bled el Makhzen" is overburdened. 735 794 431 On the other hand, they acquit themselves willingly, either through the medium of the common treasury or directly, of numerous traditional tithes paid to the marabouts and the poor. In the Anti-Atlas, where all transactions and the measuring of har- [465] vests are done at the "agadir," the part for the saints of the country and their descendants, the "igourramen," as well as the salary of the minor functionary charged with watching over the harvests or the collective storehouse, are taken on the spot by the official measurer. The Koranic regulation of taxes is in this way observed in spirit, if not in form, but for the exclusive benefit of the local saints and of the zaouias, which are, as has often been said, an integral part of Berbère /Berber/ society.

[171] Likewise among the tribes of the Jbala of the Habt one sees the shorfa /shurfa/ and the poor benefit from the sum total of the legal alms. The montagnards of the north of Morocco "acquit

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735 .794 43 191 themselves strictly of all duties incumbent upon them as members of the Mussulman community, but the community, for them, is restricted to the tribe -- or even the fraction -- and they do not conceive of the idea of bringing together in the hands of the Makhzen /makhzan/ the resources of the whole Mussulman community" (2).

2. Michaux-Bellaire, "Quelques tribus de montagnes /Some Mountain Tribes/," pp. 51-52. The same applies to the administration of the habous /wakf/ of mosques entrusted by the "jemaᶜa" of the Jbala to Nadirs /functionaries charged with conserving the property of the mosque/ of the tribe or fraction, or to the descendants of a Marabout, ibid., p. 175. Compare the managers of the habous property among the Djbala with the oukil /financial agent/ of the Kabyle mosque. Hanoteau and Letourneux, Kabylie /Kabylia/, Vol. II, p. 35.

423 III. Absence of collective properties. -- In the territories of the Sous populated by sedentary Berbères /Berbers/ one would look in vain for collective lands belonging in joint possession to tribes or fractions.

423 191 In the regions of Morocco in which tribes or entire confederations have recently disputed the possession of the soil, like the plains of the northern Gharb and the Moyen-Atlas /Middle Atlas/, one understands that individual ownership has not yet been able to assert itself in the course of a state of war that sets against each other groups /249/ constituted for defending or conquering a territory. On the contrary, in a country where the Berbère /Berber/ must make his fields himself by rolling stones on the flank of the torrents in order to create terraces, or work tenaciously in the minuscule gardens of the oases, each one is master of his possessions and disposes of them as he pleases. In the summit region

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423 171 there hardly remain a few pastures common to a whole tribe (1).

1. The independent Berbères /Berbers/ could not be concerned about the juridical distinctions established by the Sultans in the course of history in the capitulation lands, subject only to the zekkat, and the lands of "naiba" /military service/, which were, moreover, to pay off the contribution of the "kharaj" and whose soil belonged in principle to the Mussulman community. One knows that the Mérinides and the Saadians had considered the Haut-Atlas /High Atlas/ as "naiba" land, in order to be able more easily to burden the Masmoudian tribes with taxes. In our day, the term "nouaib" is applied indiscriminately to all Arab or Berbère /Berber/ tribes that are subject to the Makhzen /makhzan/ or even to a chief. The "nouaib" are subjects, in contrast to the Berbères remaining free. It goes without saying that the state of submission to the Sultan does not entail, in the minds of the mountain populations, any diminution of their property rights on the land. Compare: Michaux-Bellaire, "Quelques tribus de montagnes /Some Mountain Tribes/," p. 161 and sqq.

423 794 621 437 In the villages, collective properties or the "habous" constituted for the benefit of sanctuaries are rare; as an exception, the manure deposited in the vicinity of the hamlets is often sold at auctions in order to serve for the maintenance of the mosques.

423 579 486 651 Tribal fractions often claim the cols and routes of passage as belonging to them as their own, and it is by virtue of this, it seems, that they consider themselves charged with maintaining security at the points where thieves usually meet in order to plunder travelers. Thus the "zettata," right of passage paid to the tribes by all who cross the country, and which has so often been regarded as an abuse, would appear in the eyes of the

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*634 681 178 Now it sometimes happens that on the scales of settlement thus established there are substituted for the names of all the notables of the fraction those of three or four important personages, who give their approbation in the name of all. At the same time, the primitive rule of distribution of the fines is perverted. One third is apportioned to the moqaddem, one third to these influential men, who give themselves the title of "ʿayan" (1).

1. Arabic "ʿayān," notables.

[652] one third to the "taqbilt," represented by effaced and starving inflas. With the same stroke the common treasury disappears.

*634 671 178 A decisive step is taken when we see the traditional name of "moqaddem" disappear in the acts to make way for that of a personage henceforth called "the respected amghar So-and-So." Near the name of the amghar are found only those of the notables, the "ʿayan." An additional clause stipulates that the new master [681] of the canton will collect, in addition to a third of the fines, a [651] third of the ʿachour, the Koranic tax that the Berbère /Berber/ [794] republics paid up to then wholly to religious personages or to the [735] poor. Often, even, a measure of barley per household was [465] granted for the benefit of the amghar. Personal power is henceforth established.

*634 661 578 613 926 These beginnings did not exist without requiring long and patient efforts of the new chief. Before taking authority, the amghar has arranged for himself the support of the heads of the most important "ikhs," and by /273/ clever intrigues he has succeeded in setting aside those who were hostile to him or making them disappear. But almost always this internal revolution does not take place without combat. Another notable, equally rich and courageous, opposes the ambitious amghar with all his forces, with his "ikhs"; war breaks out and is waged furiously until the defeated one is killed or banished with all his people; his village falls into ruins and the victorious chief retains power as long as he has the strength to do it and escapes the